Internal Security

Chapter 1

1.1 Internal and External Security

At the outset, we shall briefly differentiate between the internal and external security of a country before we discuss the various aspects of internal security.

Internal security is the security of a country within its borders. This implies the maintenance of peace and law and order, and upholding the sovereignty of the country within its territory.

Internal security is different from external security to the extent that **external security** is the security against an aggression by a foreign country. External security is solely the responsibility of the armed forces of the country, while internal security comes under the purview of the police, which can be supported by the **Central Armed Police Forces (CAPF)**, if required.

In India, the **Ministry of Home Affairs (MHA)** takes care of internal security, while external security comes under the **Ministry of Defence (MoD)**. In many countries, MHA is also called the Ministry of Internal Affairs or Ministry of Homeland Security.

1.1.1 Classification of Threat

Kautilya wrote in ***Arthashastra*** that a state can be at risk from **four threats**:

- Internal
- External
- Internally aided external
- Externally aided internal

India's internal security threat perceptions are a mix of all four threats mentioned above.

The changing external environment also impacts our internal security. Events in Sri Lanka, Pakistan, Bangladesh, Nepal and Myanmar have direct or indirect linkages with our internal security. Therefore, it can be said that

in today's information and digital age, security threats, both internal and external, are interrelated and cannot be seen in isolation from each other.

After the **Second World War**, **thirty-nine states** disintegrated. Of these, five disintegrated because of external aggression and the **other thirty-four** due to failure to manage their internal security. This led to either loss of sovereignty, disintegration, breakdown of constitutional machinery, civil wars, violence leading to regime changes or military coups. These failures were due to complex and varying reasons, but failure of internal security was a common factor amongst them.

Over the years, the challenges to our internal security have grown manifold and assumed alarming proportions. Internal security problems are affecting our country's growth and development. This is now one of the prime concerns in the top echelons of the Centre.

Therefore, it is no surprise that the UPSC has included **internal security** as a separate topic in the **civil services main examination** since 2013.

1.1.2 Attributes of Internal Security

The **main attributes** of internal security are as follows:

- Security of territorial integrity and protection of internal sovereignty
- Maintenance of domestic peace
- Prevalence of law and order
- Rule of law and equality before law – law of the land should protect everyone, irrespective of the status
- Absence of fear from the feared implying individual freedom for the people as guaranteed by the Constitution
- Peaceful co-existence and communal harmony

1.2 Major Challenges to Internal Security

Independence for India came with some inherited problems related to its internal security. The issue of the accession of the **state of Jammu and Kashmir** to India also came with its own set of problems related to our internal security. The **division of the pre-independent India into two nations** resulted in large-scale unforeseen violence that claimed millions of lives. Thus, was born the menace of communalism which is visible time and again in various riots, thereafter. As an emerging nation, we hoped to overcome these problems and embark upon a path of national reconstruction and consolidation, but the progress got hampered by various challenges to internal security faced by the country. Over the years, India's internal security problems got multiplied due to linguistic riots, interstate disputes, and caste and ethnic tensions. In **1956**, the country had to **redefine its interstate boundaries** due to linguistic riots.

Major Challenges

1. Hinterland terrorism – the terrorism across the main land of the country
2. Jammu and Kashmir militancy and terrorism
3. Insurgency in North-East India
4. Left-wing extremism/Naxalism
5. Organised crime and its nexus with terrorism
6. Communalism
7. Caste and ethnic tensions
8. Regionalism and interstate disputes
9. Cyber crime and cybersecurity
10. Border management
11. Coastal security

The 1950s also saw the North-East going up in flames, when in 1954, Angami Zapu Phizo raised the banner of revolt in Nagaland and the fire spread to Mizoram, Manipur, and Tripura.

The later part of the 1960s saw the rise of Naxalism. At the time of independence, India was an underdeveloped country and had taken up the task of rebuilding itself. The country adopted the equitable and inclusive growth model for growth and development. But, over the years, it has become evident that we have failed on many counts and poverty, unemployment and under-development prevail in the country. Various people exploit this situation and pose a very dangerous challenge to the country's internal security in the form of Maoism/Naxalism/left-wing extremism. In 2006, the then Prime Minister Manmohan Singh even admitted that this was perhaps the biggest challenge to the country's internal security.

The 1980s witnessed the growth of the terrorist movement in Punjab, aided and abetted by a hostile neighbour. The 1990s saw the beginning of militancy in Kashmir which has slowly become a pan-India phenomenon with the onslaught of international terrorism in the hinterland during the past decade. The rise of Indian Mujahideen (IM) has been another dangerous phenomenon in the last decade. This has again been supported by an unfriendly neighbour as it became clear during the 26/11 terror attack in Mumbai. As a result, the Centre initiated several concrete measures to strengthen its anti-terrorism apparatus.

Transnational organised criminals/mafias have given further boost to international terrorism by forging linkages between organised crime and terrorism. Their funding and modus operandi has mainly been arms smuggling, drugs trafficking, hawala transactions, money laundering and pumping of fake Indian currency notes (FICN) to different parts of the country.

Cybersecurity is the latest challenge. We could be the target of a cyberwar, which could jeopardise our security as most of our vital installations

are now based on cyber systems. Any failure to check cyberattacks could be fatal to our economy and security. The **Snowden Revelations** (WikiLeaks) of **2013** exposed the extent of espionage that is possible through cybernetworks. The phenomenal growth of the internet and mobile communication has demonstrated that social media could play a vital role in spreading misinformation and fanning violence. The **exodus of North-East students from the southern states in 2012** and the **Muzaffarnagar riots in 2013** are some examples of problems created due to the fast-growing communication systems.

As conventional warfare is not able to give the desired results, the enemy will use other means to achieve its nefarious designs targeting civil society to create political instability, exploiting social, economic, religious and sectarian fault lines, and mounting perception battles using **Psy-Wars** (psychological wars).

This could be termed as the **Fourth-Generation Warfare** where the battleground would be the civil society with the aim to recruit, destroy and subvert civil society itself. Now, the concept of conquering land is being replaced by the concept of controlling the minds of the civil society using **Psy-Ops** (Psychological Operations), and the one who controls civil society would ultimately rule the world. Another big problem is that these groups are globally networked as opposed to the Indian police, which finds it difficult in even networking at the national level.

Border management is important for containing threats to our internal security. A weak border management can result in infiltration of terrorists and illegal immigrants from various borders and smuggling of contraband items such as arms, drugs, and counterfeit currency. There has been an increase in hostility against **illegal migrants in the North-East**. We are yet to find a satisfactory solution, be it political, social or economical, to this problem.

There are also some non-traditional, non-military threats to our security. These include climatic security, diseases and epidemics, energy and water, food issues, resource wars, poverty, and economic disparity. These have not been included in this book.

1.3 Factors Responsible for Internal Security Problems

There are various reasons, both historical and non-historical which cause problems for our internal security. These are discussed in detail in the forthcoming chapters. However, a few **root causes** are mentioned below:

1. Unfriendly neighbours
2. Poverty
3. Unemployment
4. Inequitable growth
5. Widening gap between haves and have-nots

6. Failure on administrative front or governance deficit
7. Increasing communal divide
8. Increasing caste awareness and caste tensions
9. Rise of contentious politics based on sectarian, ethnic, linguistic or other divisive criteria
10. Porous borders having very tough terrain
11. Poor criminal justice system and large-scale corruption leading to nexus between criminals, police and politicians resulting in organised crime going unabated

We inherited the first three causes at the time of independence, but have failed to resolve them. Unfortunately, we have added more factors which have multiplied our internal security problems. The fourth, fifth and sixth factors in the above list can be termed as administrative failures and the seventh, eighth and ninth could be due to the rise of partisan politics. The last two can be attributed to a pronounced deficit of governance. Every problem gets highlighted because of these factors, and hostile neighbours leave no opportunity to exploit the internal conditions for the pursuit of their own agenda. The declared policy of Pakistan's ISI 'to bleed India with a thousand cuts' proves the point.

1.4 Internal Security Doctrine

1.4.1 Internal Security Doctrine should Include the Following Key Elements

- Political
- Socio-economic
- Governance
- Police and Security Forces
- Centre–State Coordination
- Intelligence
- Border Management
- Cybersecurity

1. Political: First, we need to know the nature of the challenge to our internal security. It could be secessionist, separatist or even regional in nature. We must analyse the causative factors of various types of movements and see whether the demands are within the constitutional framework or not. As a matter of principle, we should tackle the **secessionist movements** with a heavy hand. **Separatist elements** have to be kept at a distance. We need a clear policy with stringent laws to deal with such elements. On the other hand, **regional aspirations** and **ethnic demands** require a reasonably softer and sympathetic approach.

2. Socio-economic: Socio-economic factors are also at the back of many movements which are big threats to the internal security of the country. Many times, there are genuine **socio-economic grievances** of a section of society arising from acute poverty, unemployment, and displacement. In such cases, our approach has to be different. We need to analyse the factors causing the socio-economic grievances and address all the connected issues. **Equitable growth and development** is the spirit of our Constitution. Therefore, we have to ensure that development reaches all the sections of the society and there are **no regional disparities**.

3. Governance: Lack of good governance also provides a tool in the hands of anti-establishment elements, which pose a challenge to the internal security of the country. Such elements take advantage of mismanagement and corruption in government schemes, poor implementation of laws and absence of government machinery in remote areas. Governance on all fronts becomes an issue whether it is civil administration or policing of the area or the whole criminal justice system. It is the **duty of the state to control malaise in governance and provide good governance to the remotest of areas and control corruption**. Otherwise, the development of remote areas will be nearly impossible.

4. Police and Security Forces: It has been observed that, at times, allegations of police atrocities and indifference towards people's problems aggravate internal security problems. We have seen many times that agitations are directed against the police or security forces. **Demand for removal of Armed Forces (Special Powers) Acts or AFSPA is one such example.** The police need to be sensitised so that it becomes people friendly. We need to carry out police reforms so that it is seen as a neutral, transparent, and professional body. Other security forces aiding the state police also need to increase their understanding of the local situation and maintain highest order of efficiency. They need to **coordinate with the state police** and **help achieve the overall goal** of maintaining internal security.

5. Centre-State coordination: Lack of Centre–State coordination also leads to many problems related to internal security. This coordination problem exists in all areas **from intelligence to operations**. We need to **develop an institutional framework** which resolves all these Centre–State coordination problems and ensures synergy at all levels.

6. Intelligence: Intelligence is a **major component** of internal security. We need to be alert against external as well as internal enemies posing a threat to the internal security of the country. Most big operations have the backup support of intelligence. We need to have **defensive as well as offensive intelligence** to forewarn, neutralise impending threats and take proactive steps wherever required. We also need to have **regular institutional**

framework to compile, collate and act on intelligence received from various agencies. The Multi-Agency Centre (MAC) has made a good start in this direction.

7. Border Management: The country has land borders with seven countries (practically six due to Pakistan occupied Kashmir [PoK] issue) stretching nearly 15,000 km. We have had wars on three sides of our land borders with China, Pakistan and East Pakistan (presently Bangladesh). We also had infiltration problems through Punjab and Kashmir borders, illegal immigration problems through Bangladesh and smuggling of weapons through the Indo-Myanmar border. Kashmiri militants have been taking shelter in PoK while North-East extremists have been taking shelter in Bangladesh, Bhutan and Myanmar. Therefore, we need to guard our land borders effectively to prevent infiltration by terrorists, illegal immigration, smuggling of weapons and drugs. The coastal security also needs special attention, and we need to ensure that the roles of the Navy, Coast Guard and Coastal Police are clearly- defined and all of them work in harmony with each other.

8. Cybersecurity: The Snowden Revelations (WikiLeaks) of 2013 made it evident that future wars will not be traditional, which are fought on land, water and air. In fact, it appears that cyberspace will be the theatre of warfare in the twenty-first century. Therefore, any solid doctrine on internal security needs to cover this front too. India has just made a start in this direction. We need to cover a lot of ground before we can say that we have a safe cyberspace. In the coming chapters, we shall analyse in detail the various challenges to our internal security.

1.5 External Security of India: Major Issues

Though this book is about internal security, with many issues being interdependent, the candidates must have an idea about the major issues concerning the external security front too. The nature of trans-boundary issues such as organised crime and terrorism, the challenge of uncontrolled migration and fundamental changes in the way societies are organised have blurred the boundaries of the internal/external security divide.

On the external security front, India faces two major challenges: one on the Pakistan border and the second along the China border. In 2018, the Army Chief of India said that India faces challenge on 'two and a half fronts'. He was referring to the fronts of Pakistan, China and proxy war which is the domain of internal security.

Challenges to external security of India:

1. Challenges from the neighbourhood
2. Developments in the Middle East

3. Maritime security
4. Militarisation of space
5. Threats from cyberspace
6. Intensification of competition for scarce resources such as energy and strategic minerals

1.5.1 Challenges from the Neighbourhood

India is a vast geographical nation sharing borders, both land and maritime, with several countries. These neighbours are not consistently disposed to maintaining friendly relations with India. Policy and utility direct the nature of interactions with these countries.

The Achilles heel of India's foreign policy has always been the country's troubled relationship with its neighbours – ranging from an **adversarial relationship with its two biggest neighbours**, China and Pakistan, to **non-adversarial but complicated ties** with Sri Lanka (and increasingly the Maldives) or to the **nuanced relationships** with Bangladesh, Myanmar or Nepal and the **delicate equation** with Bhutan.

Since the bifurcation of territory which demarcated India and Pakistan in 1947, the two nations have had strained relations due to disagreements over several key issues, such as the control of Kashmir, terrorism and infiltration through the porous border. China carries on with its policy of provocatively aggressive expansion. From both Bangladesh and Sri Lanka, India has faced, from time to time, the problem of the spill over to its territory of refugees fleeing scenes of ethnic violence, often due to the oppression of minorities in these countries. For example, India has harboured Chakma and Tamil refugees fleeing Bangladesh and Sri Lanka, respectively.

Myanmar is important to India as it looks to counter the Chinese presence in Southeast Asia by creating its own sphere of economic zone.

India and Nepal share a unique relationship of friendship and cooperation characterised by the open borders and deep-rooted, people-to-people contacts of kinship and culture. But recently, Nepal, perhaps with the backing of China, brought out the issue of Lipulekh-Kalapani by redefining its map and extra deployment of force near the Lipulekh trijunction. The Government of India has expressed grave concerns regarding the ongoing developments and urged the Government of Nepal to resolve all issues through a credible mutual dialogue.

The rise of Taliban and its control over Afghanistan is another point of worry for India, given the past record of Taliban. It is but natural that jihadi elements will get a boost and try to worsen the internal security scenario of the country.

1.5.2 Middle East

Cultural, diplomatic and economic exchanges have proliferated between India and the Middle East since ancient times. This engagement has continued into the modern era. India has maintained a strong relationship with Egypt, particularly since both countries became the founders of the **Non-Aligned Movement** during the Cold War. India also maintains **bilateral relations** with Iraq, Iran, Syria and the Gulf States, dating back to when the Arab spice trade dominated the region.

Presently, the security and political scenario of the Middle East is highly volatile. With that as a caveat, one can visualise **five short-to-medium-term challenges**.

1. Even after five years, the **Arab Spring and the Arab yearning for change** cannot be written off. While lacking an overarching roadmap, individual Arab countries will have to evolve a model that reflects and suits their social and demographic specificity. No country can influence or determine an appropriate model for another.
2. The **declining American influence** in the region will continue with no other country or group of countries being able to provide an alternate leadership. Some external powers will try to carve out spheres of influence without dominating the entire region.
3. **With the emergence of ISIS, religious extremism and sectarian tensions** are here to stay, and political violence will continue to undermine the stability, territorial integrity and in some cases even viability of the state.
4. The **Israeli–Palestinian conflict** is important, but an immediate resolution is unlikely because both sides lack wisdom, foresight, and political will. Moreover, it is not the core problem facing the region, and Arab and non-Arab countries have many more serious problems to worry about apart from the statelessness of the Palestinians.

1.5.3 Maritime Security Challenges

India is a maritime nation, not just by historical tradition but also because its geophysical configuration and geopolitical circumstances make it as dependent on the seas as any island nation. With thirteen maritime states and island territories, India probably has more seafaring people than the population of most European countries.

India's maritime security challenges cover the entire range **from low intensity conflict and piracy**, all the way **to major power strategic contests**. Given its distinctive geography and the shift of global maritime focus from the Atlantic-Pacific combine to the Indo-Pacific continuum, the importance of the Indian Ocean Region in India's national security calculus has greatly increased in the **post–Cold War era** and the more recent **post–9/11 era**. An

increased activity throughout the Indian Ocean Region due to the expanding regional and global trade in goods, ideas, people, and resources has raised a new set of maritime security challenges. Among these are growing risks from non-state actors, including piracy, terrorism and trafficking; the impacts of environmental degradation, resource depletion, climate change and natural disasters; and weak states and failing institutions. These diverse challenges confront an equally diverse set of nations bordering this region.

The energy-deficient nations such as China, India and other developing countries have no choice but to import large quantities of energy resources from around the world, especially West Asia. The dependence on the seas to get energy products to sustain their economies is growing progressively. This also brings in the threat of these vessels and products being targeted by both pirates and non-state actors.

1.5.4 Militarisation of Space

During the Cold War era, space became an essential adjunct for war-fighting on the ground, without becoming another theatre of combat. While militarisation of space proceeded rapidly, the weaponisation of space was avoided. While the weaponisation of space was avoided during the Cold War, it does not necessarily follow that weaponisation will continue to be avoided in a new era of asymmetric warfare. We can improve protection of satellites against some threats, but satellites will remain easy targets for space weapons designed to kill on impact.

India's space programme has very strong civil roots: it began as a means to assist India in its development and has mainly focused on improving the daily lives of its citizens. More recently, India has made a dramatic shift in the tone of its space efforts. Lately, the country has adopted a more militarised attitude, as exemplified by increased efforts by India to create an indigenous ballistic missile defence programme. India's space efforts could very well affect the long-term sustainability of space and merits further attention.

Successful demonstration of Shakti Missile in March 2019 makes India the fourth country in the world to have the capability of destroying a satellite in Low Orbit Airspace (LoA) after the United States, Russia, and China.

1.5.5 Cybersecurity

This topic will be discussed in detail in Chapter 9.

1.5.6 Intensification of Competition for Scarce Resources

In 2003, the EU's European security strategy identified 'competition for natural resources' as a global challenge. According to the 2004 report of the high-level panel on threats, challenges, and changes, appointed by former

UN Secretary General Kofi Annan, 'shortage of natural resources can contribute to unrest and civil violence'. The United Nations Environment Programme (UNEP) expert advisory group on environment, conflict and peace building noted in 2009 that 'as the global population continues to rise and demands for resources continues to grow, there is a significant potential for conflict over natural resources to intensify in the coming decades'. Resource scarcity is increasingly perceived as one of the greatest security risks in the twenty-first century.

In the Indian perspective, the external manifestations of links between India's resource woes and security are discernible in ties with Pakistan and China. Some security analysts have depicted the Bay of Bengal and its significant deposits of natural gas as a future source of Sino-India conflict. China has secured a major natural gas deal with Myanmar (Burma) and may conclude one with Sri Lanka soon.

Water, meanwhile, is a key factor in border tensions between India and China. These tensions centre around one of the region's rare water-rich areas, particularly Arunachal Pradesh. The strategic significance of Arunachal Pradesh, therefore, goes beyond the issue of territory. Finally, India is alarmed by Chinese dam building on Tibetan Plateau rivers, including the Brahmaputra, which flows downstream into lower-riparian India.

Probable Questions Based on This Chapter

1. What are the attributes of internal security? How is it different from external security?
2. Discuss the major challenges to internal security faced by the Indian state after Independence.
3. What are the key elements of a comprehensive internal security doctrine?
4. There are various inter-linkages between internal security threats and external security threats faced by India. Substantiate.
5. Recently, the Indian Army Chief had made a statement that 'India is ready to fight a war on two and a half fronts'. Which security challenges are being described as 'two and a half fronts', and describe India's current security preparedness to tackle them?

Chapter 2

Terrorism – Role of External State and Non-State Actors

Terrorism may be defined as the planned, organised and systematic use of violence as a means of coercion for political or religious or ideological purposes.

Terrorism has become a **global phenomenon**, but all attempts in the past for arriving at an internationally accepted definition of terrorism have proved futile. This ambivalence is primarily due to **two reasons**.

Firstly, a 'terrorist' in one country may be viewed as a 'freedom fighter' in another; **secondly**, it is known that some states encourage various criminal acts being carried out in another state. Hence, there is an obvious lack of political will to any universally acceptable definition of terrorism.

Even the United Nations has been unable to come up with an official definition of terrorism that is universal and acceptable to all member countries. The difficulty in defining what exactly constitutes terrorism acts as a barrier in international cooperation against terrorism. Irrespective of these constraints, we can definitely say that:

Terrorism is a state of terror, panic and a fear psychosis created by an individual or a group of people in order to force, coerce or blackmail the authorities; using violent methods to accept their demands or to attain political, religious or ideological goals.

Terrorism is thought to be a method of war, which consists of intentionally attacking those who ought not to be attacked.

2.1 Classification of Terrorism

Terrorism can be classified into two categories:

1. Terrorism by external state actors and
2. Terrorism by non-state actors.

2.1.1 Terrorism by External State Actors

When any government directly or indirectly indulges in terrorism against its own people or the people of another country, it is referred to as **terrorism by the state actors**.

Also, terrorism against another country, whether in support of international terrorism or in order to destabilise that country, can be classified as **external state sponsored terrorism**.

Terrorism in Kashmir is a direct manifestation of the state policy of Pakistan and Inter Services Intelligence (ISI) influence, while **hinterland terrorism by Indian Mujahideen (IM) or Students' Islamic Movement of India (SIMI)** is indirectly supported by the ISI and the state of Pakistan. **Therefore, Pakistan, which is an external state actor, is challenging India's internal security directly as well as indirectly.**

Similarly, time and again aspersions have been cast on the role of Bangladesh and Myanmar as external state actors regarding terrorism in the North-East.

Support to terrorism can be by various means, such as financial support to militant organisations, technical support, arms, training and infrastructural support or ideological support.

2.1.2 Terrorism by Non-State Actors

In this case, the act of terrorism is performed by an individual or a group which is not associated with or financed by any government. **Non-state actors have generally no direct or indirect link with any government or government agency while pursuing their agenda, though indirect linkages cannot be completely ruled out.** Naxalites, Liberation Tigers of Tamil Eelam (LTTE) and North-East extremists are some examples of non-state actors.

Many important terrorist groups such as the Lashkar-e-Taiba (LeT) and IM also claim to be non-state actors but have de facto support from Pakistan.

The use of non-state actors is essentially the employment of a proxy element, which gives the state of Pakistan a degree of deniability. However, there is no doubt that none of the so-called non-state actors, like the LeT, could have operated with impunity without an active funding, logistical and military support from Pakistan. The close linkages of the ISI and such groups are well documented as is their direct involvement in attacks like that of

26/11. These groups aim to not only create instability in states like Jammu and Kashmir, but also have a larger aim of destabilising the country. This is done through sporadic terrorist strikes, which spread terror and panic. This could also adversely affect the ability of the Indian State to pursue economic modernisation. The flooding of the country with counterfeit currency is also a way of weakening the economy. Therefore, some of the so-called non-state actors operating from Pakistan are the proxies of the state, functioning under a clear charter of state policy.

Modus Operandi and Motto of ISI (through so-called non-state actors)

- To bleed India with a thousand cuts
- To destabilise the Indian economy through fake currency and other means
- To supply arms and explosives to all kinds of militants in India
- To take advantage of the anti-government groups operating within India and to provide financial, logistic and military support to such groups
- To spread and support Islamic fundamentalist activities
- To spread communal hatred and violence in India with the aim to divide and weaken the country

2.2 Categorisation of Terrorism in India

Terrorism in India can be broadly classified into **four major categories**:

1. Hinterland terrorism
2. Jammu and Kashmir militancy
3. North-East insurgency
4. Left-Wing extremism

Out of these, the last two do not have direct linkages with the external state actors, so we will deal with them in separate chapters. Terrorism in Jammu and Kashmir is due to Kashmir's historical background. It has also been dealt with in a separate chapter.

2.3 Growth of Hinterland Terrorism

Hinterland terrorism is the terrorism that is spread all across the hinterland of the country. Such terrorist acts have been taking place **all over India** without any specific reason. Yet, if we look back and analyse, there appears to be a sequential, well-planned, well-motivated growth of terrorism in India.

1. After failing in two conventional wars against India, especially post the humiliating defeat in 1971, Pakistan adopted the path of sub-conventional war/proxy war by supporting terrorist activities in India; since the last three decades with the motto of 'bleeding India with a thousand cuts'.

2. The seeds of present terrorism were sown in the Khalistan movement in Punjab in the 1980s. This proved to be the most deadly terrorist movement in India. It was to create a buffer sovereign state between Jammu and Kashmir and the rest of India.
3. After Punjab, Kashmir was targeted in the late 1980s and tried to take advantage of anti-India separatist sentiments in a section of Kashmiri population, and it continues to do so till date. Terrorism in Kashmir was basically operated from Pakistan occupied Kashmir (PoK)-based Islamist terrorist organisations created, trained, inspired and directed by the ISI, like the LeT, JeM and Hizbul Mujahideen, among others.
4. Meanwhile, SIMI was formed in Aligarh in 1977 with its motive to liberate Indian Muslims from western influence and make them follow Islamic code of conduct. In the 1980s and 1990s, SIMI became a highly militant and extremist group and took a more radical posture. Therefore, it was banned under the Unlawful Activities Prevention Act (UAPA) in 2001.
5. The Ayodhya incidents of 1992 also saw the rise of reactionary terrorist activities all over India, especially in Mumbai (1993 Bombay serial blasts). This provided a big opportunity to the ISI to carry forward its designs of spreading terrorism and communalism in India.
6. The twenty-first century saw the formation of the IM after the ban on SIMI. It was to project to the outside world that terrorism in India was a purely indigenous development, arising out of ill-treatment of Muslims and not sponsored from across the border. Doctored videos of Gujarat riots were used by the ISI to mobilise, recruit and radicalise the youth.
7. The ISI has always tried to take advantage of communal incidents like the Ayodhya issue and the Gujarat riots for inciting young Indian Muslims. The increasing efforts of the ISI to exploit communal sentiments have ensured that the Muslim community remains vulnerable to mobilisation, recruitment and radicalisation. In recent times, there were reports of the LeT recruiting young Muslims in the riot-affected Muzaffarnagar district.
8. We saw reactionary right-wing extremist activities in 2006–07 in the form of bomb blasts in Malegaon, Mecca Masjid, Hyderabad, Ajmer Sharif and Samjhauta Express. Initially, the investigating agencies of various state police had allegedly implicated innocent Muslim youth in these cases. This resulted in heavy resentment in Muslims and gave another boost to radicalisation of Muslim youth by the ISI, LeT, SIMI and IM, etc.
9. The Harkat-ul-Jihad-al-Islami (HUJI) of Bangladesh was also found to be involved in many terrorist attacks in India.

2.3.1 Important Terrorist Attacks in India

We can say that the last two decades have been marked by the presence of ISI-sponsored terrorism in India's hinterland which was earlier confined to Punjab and Jammu and Kashmir. Some of the more **important incidents** are mentioned below:

- Bomb blasts in Mumbai (then Bombay) in 1993 that killed around 300 people
- Brahmaputra Mail train bombing in 1996 that killed 33 people
- Coimbatore bombings in 1998, which was targeted at L. K. Advani in his election rally killed 58 people and injured more than 200
- Air India Flight AI-814 hijacking in 1999 by the Harkat-ul-Mujahideen with an active support from the Taliban
- Attack on the Red Fort in 2000
- Attack on the Jammu and Kashmir Assembly in 2001
- Attack on the Indian Parliament on 13 December 2001 by the LeT and Jaish-e-Mohammed
- Attack on the Akshardham temple in Gujarat in 2002 by the LeT and Jaish-e-Mohammed
- Four separate attacks in Mumbai in 2003 killed 68 people
- Seventy people killed in Delhi bombings, two days before Diwali in 2005
- Blasts in Mumbai in 2006 by the LeT killed 209 people
- Malegaon blast by the right-wing extremists in 2006 killed 37 people
- Lucknow, Faizabad and Banaras attacks in the court complexes in 2007 carried out by the IM
- Samjhauta Express and Ajmer Sharif Blasts by right-wing extremists in 2007
- Attack on a CRPF camp in Rampur in 2007
- Blasts in Jaipur, Bangalore, Ahmedabad and Delhi in 2008 carried out by the IM killed 115 people
- The terrorist attack by the LeT in Mumbai in 2008, popularly known as 26/11 killed 171 people
- The German Bakery, Pune bomb blast in 2010 killed 17 people
- The serial bomb blasts by the IM in Mumbai in 2011 killed 26 people
- Attack on the Delhi High Court by the IM in 2011 killed 12 people
- Hyderabad bomb blasts in 2013 by the IM killed 16 people
- Bodh Gaya blasts in 2013 by the IM
- Patna Election Rally blasts in October 2013
- Jammu attack in March 2015 killed 6 people
- Gurdaspur attack in July 2015 killed 10 people

- Pathankot attack in January 2016 killed 7 people
- Attack on a CRPF convoy in Pampore (Kashmir) in June 2016 in which 8 CRPF jawans were killed
- Uri military camp attack, 2016, 23 personnel killed (carried out by the Jaish-e-Mohammed)
- Nagrota base camp attack 2016, 10 jawans killed (suspected to be carried out by JeM)
- Amarnath Yatra attack, 2017, 8 people killed
- Amritsar attack, November 2018
- Pulwama (2019) attack where a CRPF convoy was attacked by a suicide car bomber and 46 Jawans were killed and Jaish-e-Mohammad claimed responsibility

Hence, it is evident that the terrorists have concentrated their target on India's political capital, financial capital, IT and scientific hubs, religious places and places of tourist interest.

Hinterland terrorism is also sometimes carried out from neighbouring countries through the borders hence, it can also be referred to as **transnational terrorism**; given its obvious inability to take on India in a conventional war. Terrorists are provided training, infrastructure and weapons in Pakistan and then infiltrated into India through the LoC or Nepal.

2.3.2 Active Militant Outfits

Lashkar-e-Taiba (LeT): It is one of the largest and most active terrorist organisations in **South Asia**. It operates mainly from Pakistan and PoK. It was founded in **1990** by **Hafez Saeed**. The LeT has attacked military and civilian targets in India. The **2001 attack on the Indian Parliament** and the **2008 Mumbai attacks** were carried out by the LeT.

Jaish-e-Muhammed (JeM): Jaish-e-Muhammed (JeM or Army of Muhammed) is a **Pakistan-based terror group** that aims to undermine and overthrow Indian control over Indian-administered Kashmir through attacks on security and government targets and is supported by Pakistan's ISI which also provides with them funding, training and strategy to conduct their terror attacks in India.

The group was founded by **Masood Azhar**, who fought under the banner of Harkat-ul-Mujahideen and has been linked to Al-Qaeda.

Masood Azhar was released by India in the Kandahar flight hijack wherein he was traded for the passengers of IC 814 in 1999 along with two other terrorists.

He later founded the **JeM** in 2000 and till now has carried out most of the devastating attacks India has ever seen, be it the **Parliament attack in 2001**, the **Pathankot airbase attack in 2016** and now the recent Pulwama attack which killed 46 CRPF personnel on **14 February 2019**.

The JeM has carried out several high-profile suicides and other attacks against Indian targets since its formation. The group is said to have actively supported the Afghan Taliban's fight against US-led NATO forces since 2001.

India has moved a proposal at the UN to designate Masood Azhar as a global terrorist, and most of the countries including the US and France have supported the move. China was the only country among the fifteen-member UN Security Council to oppose the ban on Azhar.

Hizbul Mujahideen: It is a **Kashmiri terrorist group** founded in **1989**. The current leader of the group is a Kashmiri known under the alias of Sayeed Salahudeen who usually resides in PoK.

AQIS (Al-Qaeda in the Indian Subcontinent): The AQIS, the youngest affiliate of the Al-Qaeda created in **2014** with the target of roping in **jihadists** from India, Pakistan, Myanmar and Bangladesh, is mainly operating from Pakistan and Afghanistan. The AQIS is also in touch with Kashmiri militants. The outfit has been **banned by the UN**. AQIS has recently been in news when it threatened to carry out suicide terrorist attacks in UP, Gujrat and other places after a controversial statement by Nupur Sharma.

Students' Islamic Movement of India (SIMI): SIMI is a **banned Islamic student organisation** formed in **1977**. Earlier, the stated mission of SIMI was 'the liberation of India' from western materialistic cultural influence and to convert Muslims to live according to the Islamic code of conduct. But SIMI became militant and extremist in the backdrop of communal riots and violence between Hindu and Muslim groups in the 1980s and 1990s and took a more radical posture. Its motto became 'to convert whole of India into Islamic land'. SIMI was **banned by the Indian government in 2001** when it was found to have indulged in terrorist activities.

Harkat-ul-Jihad-al-Islami (HUJI): It is a **Pakistan- and Bangladesh-based old Islamic terrorist organisation** working in Pakistan, Bangladesh and India. HUJI has claimed responsibility for the **2006 Banaras bombing** and **2011 Delhi bombing**. HUJI had started its operations in Afghanistan after the Soviet retreat from the country. Its Bangladesh unit was formed in 2002. It is believed to be backed by the Taliban.

Indian Mujahideen (IM): It is an **Islamist terrorist group** based in India, which has carried out several attacks against civilian targets in India. It was borne out of the ranks of SIMI. The IM has reportedly taken responsibility for several blasts carried out in the last decade. Police investigations have revealed the group to be a front for the LeT. In fact the ISI, LeT and HUJI encouraged the formation of the IM in their effort to hide the involvement of Pakistan in terrorist activities in India and to project to the outside world that terrorism in India was an indigenous development arising out of maltreatment of Muslims. **In 2010, the IM was declared a terrorist organisation and banned by the Government of India**. New Zealand, UK and the US declared

it a terrorist organisation too. Its ultimate aim is to create an 'Islamic Caliphate' across South Asia. This organisation came into the limelight after the **UP blasts of 2007** in the court premises in Lucknow, Varanasi and Faizabad. It recruits a wide range of disenchanted Muslim youth – from petty criminals to highly paid software professionals. Recently, one of its main leaders, **Yaseen Bhatkal**, was arrested by **Indian security agencies**.

Sleeper Cells: A sleeper cell refers to a cell or an **isolated grouping of sleeper agents** that lies dormant until it receives orders or decides to act. A sleeper agent is a spy who is placed in a target country or organisation, not to undertake an immediate mission, but rather to act as a **potential asset** if activated.

2.3.3 New Threat from ISIS

2.3.3.1 Historical Background

The group has had various names since it was founded in **1999** by Jordanian radical **Abu Musab al-Zarqawi** under the name **Jamáat al-Tawid wa-al-Jihad**. In October 2004, al-Zarqawi swore loyalty to Osama bin Laden and renamed the group Tanim Qāidat al-Jihād fi Bilād al-Rāfidayn commonly known as Al-Qaeda in Iraq or AQI. Although the group never called itself Al-Qaeda in Iraq, this remained its informal name over the years.

In June 2006, several insurgent factions were merged to form a new group, ad-Dawlah al-Ìraq al-Islamiyah, which translates to the Islamic State of Iraq (ISI). The ISI was led by **Abu Omar al-Baghdadi** and **Abu Ayyub al-Masri**, who were killed in the US–Iraqi operation in April 2010, after which **Abu Bakr al-Baghdadi** became the group's new leader.

By 2011, when the US troops' withdrawal was complete from Iraq, the Al-Qaeda of Iraq was being run by **Abu Bakr-al-Baghdadi** and had morphed from a largely foreign to a largely Iraqi operation.

With thousands of armed men now at his disposal, Baghdadi opened a second front against the Shiites – in Syria, where there was a largely secular uprising against President Bashar al-Assad. Soon, Baghdadi renamed his group the Islamic State of Iraq and Syria (ISIS) reflecting his greater ambitions. His black flags, emblazoned with the Arabic words for 'There is no God but Allah' and the reproduction of what many believe to be the Prophet Mohammed's seal became ubiquitous.

In April 2013, having expanded into Syria, the group adopted the name **ad-Dawlah al-Islamiyah fi'l-Ìr-aq wa-sh-Sham**. As **al-Sham** is a region often compared with the Levant or Greater Syria, the group's name has been variously translated as 'Islamic State of Iraq and al-Sham', 'Islamic State of Iraq and Syria' (both abbreviated as **ISIS**), or 'Islamic State of Iraq and the Levant' (abbreviated as **ISIL**).

In May 2014, the United States Department of State announced its decision to use 'Islamic State of Iraq and the Levant' (ISIL) as the group's

primary name. On 29 June 2014, the organisation proclaimed itself to be a worldwide caliphate. Abu Bakr al-Baghdadi – known by his supporters as Amir al-Múminin, Caliph Ibrahim – was named its caliph, and the group renamed itself as ad-Dawlah al-Islamiyah [Islamic State (IS)]. As a **'caliphate'**, it claims religious, political and military authority over all the Muslims worldwide. The concept of it being a caliphate and the name 'Islamic State' have been rejected by the UN, various governments and Muslim leaders worldwide.

The most common names worldwide are ISIS and ISIL.

On 27 October 2019, al-Baghdadi was targeted by the US military and died after he was blown in a suicide vest in northwest Syria. After al-Baghdadi, **Abu Ibrahim al-Hashemi al-Qurayshi** became Baghdadi's successor.

2.3.3.2 Ideology of ISIS

Important doctrines of ISIS include its belief that it represents the **restoration of the caliphate of early Islam** and that all the Muslims are required to pledge allegiance to it; that a 'defiled' Islam must be purged of apostasy, often with bloody sectarian killings, that the final Day of Judgement by God is near and will follow the defeat of the army of 'Rome' by ISIS; that a strict adherence to following the precepts 'established by the Prophet Muhammed and his earliest followers' is necessary, surpassing even that of other Salafi groups.

Salafi jihadists such as ISIS believe that only a legitimate authority can undertake the leadership of jihad and that the first priority over other areas of combat, such as fighting non-Muslim countries, is the purification of Islamic society. For example, ISIS regards the Palestinian Islamist Sunni group Hamas as apostates who have no legitimate authority to lead jihad and it regards fighting Hamas as the first step before confrontation with Israel.

ISIS has proved itself to be highly brutal, and it is a reminder of medieval times by its philosophy of hate and jihad.

2.3.3.3 Aim

According to ISIS, the return to the Golden Age of Islam takes place through the reestablishment of an Islamic Caliphate based on the Salafist-jihadi interpretation of **Islamic religious law (the Sharia)**. The Caliphate state, whose establishment was declared by ISIS, currently includes large parts of Iraq and Syria from the outskirts of Baghdad to the outskirts of Aleppo. However, ISIS seeks to expand its self-declared Caliphate State to the rest of Iraq and Syria, to topple the regimes in Baghdad and Damascus, and subsequently spread from there to the rest of the region, most of it included in Greater Syria (Bilad al-Sham) according to ISIS: Iraq, Syria, Lebanon, Israel/ Palestine, Jordan and even Kuwait.

However, ISIS's ambitions extend beyond the areas of Greater Syria. According to its vision, the caliphate in Greater Syria will be the core of an extensive Islamic Caliphate. It will include the countries of the Middle East; north Africa; parts of Iran, Pakistan and Afghanistan (Khorasan); European

countries that were conquered from the Muslims in the past (Spain, the Balkans) and other Muslim countries (Turkey, the Caucasus).

Since 2015, ISIS started expanding its network to many other countries. In 2017, Iraq declared victory over ISIS, but it continued its spread. In 2018, the US declared its victory over ISIS in Syria.

2.3.3.4 ISIS: A Threat to India

The threat ISIS poses to India, and South Asia in general is as real as it is for any other major region or state. This does not come from an organisational pattern from the so-called caliphate or al-Baghdadi himself but the ecosystem that has been created that allows an open-source access to ISIS as a brand which is a powerful enough tool to make global headlines at the smallest of an incident committed even by a petty criminal. The Internet remains the main propagator of pro-ISIS activities, and will continue to be one even after a complete 'defeat' of the so-called Islamic State.

Few points worth mentioning are as below:

1. India is the second most populous country in terms of Muslim population, and ISIS aims to radicalise Muslim youth rightly makes India among its important target.
2. India has a huge advantage of demographic dividend with the highest number of youth population, but unemployment, poverty and communalism are factors which make India a breeding ground for dissent and dissatisfaction with the government and ISIS could take advantage of that.
3. The modus operandi of ISIS is to radicalise youth with the help of online platforms like Facebook and Telegram, which are easily accessible in India, one of the world's largest users of these online platforms.
4. Almost 95 per cent of all cases in India started from the online sphere.

2.3.3.5 ISIS Activities in India

The number of **pro-ISIS cases** in India revolves **around 110**. Most of these cases are from Karnataka and Kerala, though the National Investigation Agency (NIA) has made arrests even from other parts of the country like Hyderabad, Mumbai, Pune, Lucknow, Roorkee, etc. The NIA also busted a module from Kerala and Karnataka which had floated a terrorist organisation, Al-Hind, in 2019 which was planning to execute terror strikes in south India. Overall, it can be said that ISIS has not been able to make a big impact in India till now.

2.3.3.6 Kashmir and Influence of ISIS

According to the investigative agencies, there seems to be **no single narrative within ISIS on the issue of Kashmir**.

Though **ISIS flags have sporadically been waved** at protests in the Kashmir valley, the effects of it on the ground have been minimal. The failure of attempts to construct a narrative around ISIS influence in the valley, despite various news reports suggesting the same, is grounded in the fact that jihad in the region is completely different ideologically and militarily than what the ISIS looks to achieve.

2.3.3.6.1 *Reasons for the Failure of ISIS in Kashmir*

1. Both the India and Pakistan are too heavily ingrained in the Kashmir issue, specifically institutionally, to allow space for any other organised narrative to take root.
2. The narrative of azaad Kashmir which also holds significant space is directly at odds with ISIS strategy and theology itself.

2.3.3.7 Current Status of ISIS

In the last two years, the world community has gained major success against ISIS but any premature celebrations of the so-called destruction of the **Islamic State (IS)** 'Caliphate' would be uncalled for. They have moved from strongholds in Syria and Iraq to countries across Europe, Asia and Africa.

As ISIS lost ground in Syria and Iraq, parts of Africa became the new battleground. In the past few years, unverified reports indicate the deaths of more than 10,000 people in Africa alone, and the battle continues in unrelenting fashion.

Boko Haram, a one-time affiliate of the ISIS, has been even more sanguinary than the IS or Al-Qaeda. **Al-Shabab in Somalia**, the **Jama'at Nusrat al-Islam wal Muslimeen in Mali** and several others continue to thrive in parts of Africa.

Afghanistan is another main epicentre of radicalised Islamist terror. The years 2017 and 2018 have been particularly bad in terms of the number of terror attacks and casualties resulting from these attacks.

Given the climate of violence, and the determination of radical groups to wage war, India cannot afford to be oblivious to what is happening around us. **In December 2018, the NIA busted a module of ISIS radicalised youth from Delhi and western UP**.

The enduring message is that the ideological battle against religiously oriented terror group ISIS is far from over.

2.3.3.8 Lone Wolf Attacks

Lone wolf attack is when a terror attack is caused by a person (lone wolf) who prepares and commits violent acts alone, outside of any command structure and without material assistance from any group.

The conventional terror attacks mostly has multiple perpetrators and a definite command structure and usually family members are aware/

involved. Whereas, in a lone wolf terror attack, there is a **single perpetrator** with **no hierarchical command structure**. Usually, family members are not aware of the radicalisation of the individual.

A large number of terrorists initially claimed by the authorities and reporters to have been lone wolf attacks inspired by ISIS or its ideology were later found to have been recruited, trained and directed remotely by ISIS to carry out the attacks. This would mean they were technically not 'Lone Wolves'. This theory of lone wolf attacks was mostly propagated by ISIS all over the world through the Internet.

2.3.3.8.1 *Challenges to Control Lone Wolf Attacks*

It is **difficult to keep surveillance** on lone wolf attackers as they lack any chain of command and being leaderless is tough for the intelligence agencies to track them.

Terror organisations like ISIS use social media and radicalise individuals all over the globe. Recruitment, as well as funding and training, is done via Information Technology; and social media and encryption make it very tough to be traced.

Recent investigations have shown that often these attacks are not entirely independent, and leaders operating remotely exercise various degrees of influence, acting as confidants and coaches and coaxing recruits to embrace violence.

2.3.4 Modern-Day Online Terrorism (Cyberextremism)

One can clearly see a shift in the modus operandi of terror outfits in the way of recruiting, training and deploying the cadre. Earlier, the potential candidates were won over by taking recourse to self-proclaimed superiority of a particular religion or ideology. They were then smuggled out to undergo further indoctrination and tactical training outside the targeted country. Thereafter, they were sent back to await instructions as sleeper cells or tasked to carry out certain terror attacks or operations.

Everything is online, from radicalisation to recruitment to training to money transfer, which is far more dangerous than the ISI modus operandi which usually trains people across the border. In the ISI module, the wannabe terrorist had to cross the Indian border via various routes, which was not always easy.

With the advent of widespread use of the Internet and modern communication technology, both open and clandestine (deep web, dark web, etc.), there is no need to send the cadre for training in designated locations.

2.3.4.1 Radicalisation

Radicalisation is a process by which an individual or group, being dissatisfied with the current scenario, adopts an increasingly extreme political, social or religious ideology to change things as per their beliefs, which could also involve violence.

Radicalisation, if unchecked, can lead to extremist discourse in society, recruitment by terrorists, aggravate communal tension/violence and fuel extremism in other groups.

In the recent past, radicalisation of youth by the terrorist organisation is on a rise.

Online radicalisation and recruitment of Indian youth by ISIS is a major threat to the nation's sovereignty, security and integrity. But with the advent of increasing Internet penetration and social media, the problem has become compounded. It is difficult to regulate social platforms due to their inherent advantages on one hand, and greater anonymity, and transnational reach on the other.

2.3.4.2 De-radicalisation and Counter-radicalisation

De-radicalisation is a process by which an already radicalised person is brought back into mainstream society, while **counter-radicalisation** is the process by which vulnerable persons are prevented from getting radicalised.

2.3.4.3 Way Forward to Check Online Terror

Any step to regulate the Internet should be in consonance with utmost respect to the fundamental rights of citizens to speech and expression, information, connection, etc.

1. **International Cooperation:** An international consensus should be built among nations and various IT-related organisations to follow certain guidelines in regulating Internet use.
2. **Comprehensive Legislation:** Strict laws should be enacted to create deterrence for being involved in any kind of radicalisation.
3. **Empowered investigation and judicial process** to punish those involved in such activities.
4. **Use of Technology:** Technology like big data can be used to catch phrases related to radicalisation and delete any such content.
5. To avoid children falling prey to radicalisation, online sites can use a similar method like YouTube to **verify** the age of viewers before allowing them to watch any adult video.
6. A **multi-pronged strategy** focusing on rational and logical counter-propaganda should be adopted with the help of civil society, NGOs, etc.
7. We need to have very **strong online surveillance capabilities, that is** social media monitoring, to counter such kind of radicalisation.
8. Increase in **intelligence sharing and coordination between agencies** such as the NIA, IB and state police, etc. is a must to prevent such incidents.
9. Parents, family and society need to be **more alert and aware** in watching the activities of their children. They should not only monitor activities but counter the radical ideology with rational and logical thinking.

10. Necessary help should be provided by professional counsellors to **counsel against radicalisation** once it is reported by some friend or family member.
11. **Police forces need to be trained** to develop counter-terror capabilities **and should be equipped** with knowledge of recent technology.

2.4 Attempts to Revive the Khalistan Movement

The **1980s and early 1990s** witnessed a very intense **pro-Khalistan movement backed by the ISI**. Recently, we saw a **manifest attempt by the Sikh extremist groups residing in Canada, and the US** to revive the demand for Khalistan and of self-determination for Sikhs. They have the backing of sections of the Sikh community in the UK as well. As a result, a **fresh wave of Sikh radicalisation** is beginning to be seen in quite a few western nations.

A pro-Khalistan rally was organised in London, sponsored by a body styling itself as **'Sikhs for Justice' (SFJ)** based in the US. It has the backing of the UK-based Khalistan Sikh Federation and the Dal Khalsa. It is the clearest sign yet of the resurgence of pro-Khalistan sentiments. A revitalised movement for a separate Sikh state can cause problems within India.

November 2018 witnessed the Amritsar blast which killed many and injured about 20 people. This can be considered as a declaration of a revival of the Khalistan movement.

After that many other incidents of terrorism have come to light in parts of north India which can be linked to pro-Khalistan movement.

Even the Home Ministry informed the Parliament that ISI was providing moral and financial support to the pro-Khalistan movement for anti-India activities as well as to revive militancy in Punjab.

2.4.1 Khalistan Liberation Force (KLF)

Security agencies say the KLF, an **extremist organisation active in the 1980s**, was **revived in 2009 in Malaysia under pressure from the ISI**.

The NIA said the **main objective** of the KLF is to **'liberate the so-called Khalistan'**. **Founded by Aroor Singh in 1986**, the outfit had been active in promoting secessionist activities till 1994.

The leadership of the KLF believes that they can revive the Khalistan movement by targeting members of specific communities so as to polarise the society of Punjab on communal lines. Organisations and persons, who oppose the ideology of Jarnail Singh Bhindranwale are their prime targets for elimination. The **KLF has been banned and brought in the First Schedule of Unlawful Activities (Prevention) Act (UAPA) in 2018**.

2.4.2 Sikhs for Justice (SFJ)

Sikhs for Justice is a **US-based secessionist group** that supports the creation of Khalistan. It is primarily founded by **Gurpatwant Singh Pannun**. The group had given a global call to the Sikh community from more than 20 countries to unite and call for **Referendum 2020** which would demand for separation of Punjab from India.

Basically, it is an **ISI game plan to revive the Khalistan movement**. This time, the movement lacks support from majority of Indian Sikhs, but it has got substantial online presence especially amongst sikhs settled abroad, for example, Canada, UK, the US, etc. The organisation was banned in July 2019 under the UAPA for its anti-India activities. **Pannun has also been declared as an individual terrorist under the UAPA**. The group's call for Referendum 2020 could not succeed. There were indications that the group also tried to penetrate the recent farmer's movement and tried to support it through massive funding from abroad.

2.4.3 Right-Wing Terror

Hindutva-inspired right-wing organisations have been accused of involvement in terrorist attacks, including the Malegaon blasts, Mecca Masjid bombing (Hyderabad), Samjhauta Express bombings and the Ajmer Sharif Dargah blast. This so-called **right-wing terrorism** is supposed to have developed as a reaction to ISI-sponsored terrorism and alleged Muslim appeasement by the Government of India. It tried to target Muslim-dominated areas.

2.5 Reasons for Spread of Terrorism

In modern times, terrorism spreads faster because of the following factors:

- **More technology** available to conduct the acts of terror
- **Targets of terrorism are more widespread** than ever before
- **Sophisticated means of communication** (electronic media, print media, social media, Internet) helped terrorists to quickly promote their ideology and hate campaign
- **Intolerance in society** due to increasing population and decreasing resources
- **Increasing globalisation** of the society
- **International recognition and support** to the terrorist groups
- **Links between terrorism and organised crime** to earn easy money

2.6 Key Issues

2.6.1 How Do the Terror Groups Fund Themselves? How Do They Procure the Ammunition and Technology Required?

India faces different types of internal security threats. The groups involved raise funds from different sources, ranging from state sponsorship to fake currencies, to extortion and taxation, crime and smuggling amongst others. Some cases are given below.

2.6.1.1 ISI-Sponsored Terrorism

The militancy in Jammu and Kashmir presents a classic case of state-sponsored and state-financed terrorism. The ISI employs state and private resources, like money from drugs and contrabands, donations and charities, as well as the globalised network for raising and moving funds from jihadi Islamic fundamentalists across the globe. This support is further augmented by funding from the Kashmiri diaspora and NGOs. These are, thereafter, used as part of Pakistan's proxy war against India, thereby bringing various components of funding together.

However, in the case of the IM, state sponsorship in the form of financial support from the ISI, mobilisation through organised criminal activities to raise funds and exploitation of globalised networks for financial resources have been the ways to keep their unlawful activities going.

It is believed that the ISI's terror network is self-supporting financially and the **money comes from**:

- Donations from Islamic countries in the name of jihad
- Earnings from drug trafficking
- Issuing fake Indian currency notes (FICN)
- Other kinds of organised crimes

It is believed that the financial network operates through a few trusts, like the **Al-Rashid from Karachi** and the **Rabita Trust from Islamabad**. Usually, these trusts operate through fake bank accounts.

The transfer of money to terrorist organisations is largely done through *hawala* transactions. Many times, it has been found by the Indian intelligence agencies that agencies like the JeM, LeT and HM are funded indirectly by the ISI through the above-mentioned means.

2.6.1.2 Funding Sources for Other Forms of Terrorism

Most insurgencies of the North-East receive funding from extortion and taxation which is a local source. This is supplemented by trafficking of drugs, weapons and counterfeit currency. The insurgencies in the region have limited state-sponsored funding from outside and raising finances through private sources is the norm.

The case of CPI (M) led insurgency is similar with local financial resources providing the bulk of its funding. They also take a share from the big infrastructure projects like roads, national highways, dams, rural development projects, etc. Apart from this, they receive security money from mining companies and multinational corporations (MNCs) operating in the country. But there is **no substantive evidence of state sponsorship to Naxalism**. They have not profited substantially from the globalised financial environment.

These groups then use the funds collected to smuggle weapons, explosives and technology-based equipment, like satellite radios, from across the border. India has a porous border with Nepal, which is usually exploited. Similarly, borders with Bangladesh, Myanmar and Pakistan are often used for pushing in weapons and ammunition.

2.6.2 Institutional Framework to Tackle Terrorism

Before 2008, terrorism was fought mainly by the **Intelligence Bureau (IB)** with the help of the **state police** and **Central Armed Police Forces**. The IB played the role of an intelligence agency which coordinated the efforts of various state police forces. The operations and investigations part were looked after by the state police. After the assassination of former Prime Minister Indira Gandhi, a special commando force, the **National Security Guard (NSG)**, was created to engage and neutralise the terrorist threats in specific situations. NSG commandos were trained in high-risk tasks like counter-hijacking and counter-terrorist operations.

2.6.2.1 New Changes after 26/11

Although the Mumbai Police and the NSG are applauded for their operations during the 26/11 attacks, their initial response and operating procedures brought to light serious flaws in coordination. Post 26/11, many steps were taken by the Centre in this regard. The Centre also announced the creation of many new institutions, the NIA, NATGRID, MAC (revamping) and NCTC. Many steps were also taken on the legal front.

1. National Investigation Agency (NIA)

The National Investigation Agency (NIA) is **a federal agency established by the Centre to combat terror in India**. The NIA has concurrent jurisdiction which empowers the Centre to probe the terror attacks in any part of the country, covering offences, including challenges to the country's sovereignty and integrity, bomb blasts, hijacking of aircraft and ships, and attacks on nuclear installations. It also deals with counterfeit currency, human trafficking, narcotics or drugs, organised crime (extortion mobs and gangs), plane hijacking and violations of the Atomic Energy Act and Weapons of Mass Destruction Act.

The NIA aims to be a **thoroughly professional investigative agency** matching the best in international standards. It aims to set the standards of excellence in counter-terrorism and other national security related investigations at the national level by developing into a highly trained, partnership-oriented workforce.

It can be said that after seven years of its creation, the NIA has proved its utility to a very large extent without any confrontation with state police. The investigations have become more professional. The data bank of terrorists is centralised.

2. National Intelligence Grid (NATGRID)

The National Intelligence Grid (NATGRID) is an **integrated intelligence grid** that will link the databases of several departments and ministries of the Government of India so as **to collect comprehensive patterns of intelligence** that can be readily accessed by the intelligence agencies. It is **a counter-terrorism measure** that collects and collates a host of information from the government databases including tax and bank account details, credit card transactions, visa and immigration records and itineraries of rail and air travel. These combined data will be made available to eleven central agencies, viz. Research and Analysis Wing, the IB, Central Bureau of Investigation, Financial Intelligence Unit, Central Board of Direct Taxes, Directorate of Revenue Intelligence, Enforcement Directorate, Narcotics Control Bureau, Central Board of Excise and Customs and the Directorate General of Central Excise Intelligence.

It is yet to become operational. The government is taking measures to make NATGRID functional. It appears that they will succeed quite soon.

3. Revamping of a Multi-Agency Centre (MAC)

MAC is a **multi-agency centre for counter-terrorism** whose mandate is to share terrorism-related intelligence inputs on a day-to-day basis. MAC was created in Delhi and **Subsidiary Multi-Agency Centres (SMACs)** were created in various states comprising representatives from various security agencies for streamlining intelligence efforts after the Kargil War. But it was revamped after 26/11. MAC in the IB shares intelligence with various agencies including the police, CAPFs, defence and financial intelligence agencies. It also shares intelligence with SMACs established in various states and Union Territories (UTs) through video-conferencing on a continuous and real-time basis. Reciprocally, the other agencies are also obliged to share intelligence with MAC. The Centre **operates on a 24-hour basis**. It also acts as a database in the form of a **National Memory Bank** related to counter-terrorism intelligence. MAC has also been given additional responsibility of accounting and auditing of intelligence related to counter-terrorism and enhancing the capacities of all the stakeholders in counter-terrorism efforts.

Within a short span, MAC has proved its utility.

4. Creation of Four New NSG Hubs

The limitation of inadequate security forces was addressed by opening NSG hubs at four places in **Mumbai, Kolkata, Chennai and Hyderabad** after Manesar, in order to ensure faster and more effective reaction to crisis situations.

5.1 Combating Financing of Terrorism Cell (CFT Cell) has been set up in MHA which deals with policy matters on CFT and Fake Indian Currency Notes (FICN).

5.2 FICN Coordination Group (FCORD) has been formed by MHA to share intelligence/information among security agencies of the states/centre to counter the problem of circulation of fake currency notes.

5.3 Terror Funding and Fake Currency (TFFC) Cell has been constituted in the NIA to conduct focused investigation of terror funding and fake currency cases.

6. Revamping of Coastal Security Scheme

The issue of maritime security and the lack of it surfaced and gained much attention after the Mumbai attacks. To strengthen the **coastal security** of the country, a series of measures have been taken to review and upgrade the coastal security of the country. The **following major decisions/initiatives** have been taken by the centre:

- The **task of guarding the Indian coastline** right from the shoreline has been entrusted to the coast guard. However, the responsibility of overall maritime security rests with the Indian Navy.
- The coastal states/UTs have been directed to **expedite the implementation of the approved Coastal Security Scheme** such as early completion of construction of coastal police stations, check posts, out-posts, etc.
- The coastal states and UTs have been directed to **immediately start coastal patrolling** by locally hired fishing boats/trawlers.
- The coastal states and UTs have been directed to **carry out vulnerability/gap analysis** on their coasts in consultation with the coast guard.
- Ministry of Shipping, Road Transport and Highways has been directed to **streamline the process of registration of all types of vessels**, i.e., fishing as well as non-fishing vessels.
- To **issue ID cards** to all the fishermen and all the population of the coastal villages.

7. The Concept of the National Counter Terrorism Centre (NCTC)

The **concept was conceived after 26/11** where several intelligence and operational failures revealed the need for federal agencies with real-time intelligence inputs of actionable value, specifically to counter terrorist acts.

The NCTC, **conceived by the then Home Minister**, was mooted to be an apex body with a single effective point of control for all counter-terrorism measures. It was modelled on the lines of the American and British bodies. The NCTC was to be kept under the administrative control of the IB.

The concept of the NCTC faced criticism on the following points:

- As per the constitutional provisions, law and order is a state subject. The powers conferred on the NCTC to search, arrest individuals and carry out independent investigations without involving the state governments is viewed as an infringement on the states' powers and has raised a political storm.
- The principle of not granting the power of arrest to intelligence agencies has also been violated. This may lead to many operational problems for the intelligence agencies.
- The NCTC could be an ideal intelligence agency for handling all counter-terrorism-related intelligence. For this, we need a strategic planning body, investigations and an execution arm besides the intelligence outfit. However, a planning body needs to be separated from the execution agencies, and each must be placed under an appropriate professional head.
- Where an operation is required to be launched to search, apprehend or arrest a militant, it would be prudent to incorporate the state police to get local help, including for navigation, translators, medical aid and handling of dead, wounded and other legal issues. Sustained investigations, including surveillance, would be difficult to carry out without the help of the local police.

Role of state police in prevention, containment and investigations cannot be ignored: Prevention, containment and investigations leading to punishment are three distinct stages of counter-terrorism. Prompt and actionable intelligence alone cannot prevent a terrorist attack. Effective policing, reliable technical infrastructure to monitor and counter a threat instantaneously and people's efforts are the other sides of the same coin. Hence the questions: Who would do the policing or monitor the inputs from the technical infrastructure installed in an area? Who would integrate the efforts of the public? How would these be accomplished without the involvement of the local police and the state government?

The first person to reach the site of a terrorist attack would invariably be the local police. Once a terrorist attack occurs, the resources needed to contain violence, manage the crowd and traffic besides preventing terrorist acts yet to be executed are beyond the capability of a central agency. Preservation of evidence, securing witnesses, managing the media and the relatives and friends of the deceased, etc. are other dimensions of the problem which can only be handled by the state police. Why should the states then not be a part of the investigations?

The capability of the state police should be enhanced, and intelligence, surveillance, sophisticated weapons, modern technologies and trained manpower should be augmented.

Unified control and effective coordination with state police: For administrative efficiency, the unified control is always better provided there is political unanimity on this. But, in a federal structure, it is not easy. It would be more prone to misuse, which would be dangerous for the country in the long term. So, this centralised agency should work in coordination with the state police and not independently.

Therefore, we can say that the centralised approach for the NCTC is not acceptable to the states. Hence, we need a balanced approach with more local involvement. Therefore the concept of NCTC never came to ground.

2.6.3 Legal Framework

The first special act to deal with terrorism was the **Terrorist and Disruptive Activities (Prevention) Act (TADA)** as it is commonly called. It came into force **after Indira Gandhi's assassination** But following allegations of its misuse, it was allowed to lapse in 1995 and another special act called the **Prevention of Terrorism Act (POTA)**was enacted in 2002 in the aftermath of the December 2001 attack on Parliament. POTA was also repealed in 2004. After 26/11, the **Unlawful Activities (Prevention) Act, UAPA Amendment Act** came into force in December 2008 which was further amended in 2012.

1. Terrorist and Disruptive Activities (Prevention) Act (TADA)

TADA was an **anti-terrorism law** which was in force between 1985 and 1995 (modified in 1987) in the background of the Punjab insurgency and was applied to the whole of India. It was allowed to lapse in 1995 due to widespread allegations of abuse. It was the first anti-terrorism law legislated by the government to define and counter terrorist activities.

The law gave wide powers to the law enforcement agencies for dealing with terrorist and 'socially disruptive' activities. The police were not obliged to produce a detainee before a judicial magistrate within 24 hours. The accused could be detained up to one year without even filing a charge sheet. Confession made to the police officers was admissible as evidence in the court of law with the burden of proof being on the accused to prove their innocence. The courts were set up exclusively to hear the cases under this Act. The trials could be held in camera with the identities of the witnesses kept hidden. Under **7A of the Act** the police officers were also empowered to attach the properties of the accused under this Act.

2. Prevention of Terrorism Act, 2002 (POTA)

POTA was an **anti-terrorism legislation** enacted by the Parliament of India in 2002. The Act was enacted due to several terrorist attacks that took place in India, especially the attack on the Parliament.

Analogous to the provisions contained in TADA, the law provided that a suspect could be **detained for up to 180 days without filing of the charge sheet** in court. It also allowed law enforcement agencies to withhold the identities of witnesses and to treat a confession made to the police as an admission of guilt. Under regular Indian law, a person can deny such confessions in the court, but not under POTA. Also **unlike TADA, it had no provision to allow preventive detention**. POTA was **repealed in 2004**.

2.6.3.1 Changes After 26/11

Many relevant **amendments** were made to the already existing Unlawful Activities (Prevention) Act.

1. Unlawful Activities (Prevention) Act (UAPA) Amendment

The UAPA is an act to provide for the more effective prevention of certain unlawful activities of individuals and associations (dealing with terrorist activities) and for matters connected therewith. The **UAPA was enacted in 1967 and amended in 1969, 1972, 1986, 2004, 2008 and 2012**. With the 2012 amendments, the UAPA includes economic offences within the ambit of terror acts. Definition of **terrorist act** has been expanded to include offences that threaten the country's economic security, procurement of weapons, raising funds for terrorist activities and counterfeiting the Indian currency. It also granted additional powers to the courts to provide for attachment or forfeiture of property equivalent to the counterfeit Indian currency involved in the offence or to the value of the proceeds of terrorism involved in the offence.

This law also allows the centre to declare that a group is an **Unlawful association** or a **Terrorist organisation** and make membership or support of that group a crime.

Unlawful Associations: The centre maintains a list of unlawful associations which can be amended as and when required. Once an organisation is on the list, the membership of the organisation becomes a crime under the UAPA. Money going to it can be blocked and the places it uses can be monitored.

Factors responsible for banning an organisation:

- The organisation's activities are supporting secession from India, or disruption of the sovereignty and territorial integrity of India.
- The organisation is trying to affect India's status as an independent nation.
- The organisation is causing enmity towards India.

First Schedule of the UAPA: Some major terrorist organisations in the First Schedule include the following:

- Al-Qaeda
- Babbar Khalsa International
- Communist Party of India (Maoist), all its formations and front organisations
- Communist Party of India (Marxist-Leninist) – People's War, all its formations and front organisations
- Communist Party of India (Marxist-Leninist) – People's War, all its formations and front organisation
- Harkat-ul-Mujahideen
- Hizb-ul-Mujahideen
- ISIS
- IM, and all its formations
- Jaish-e-Mohammed
- Khalistan Commando Force
- LeT
- Liberation Tigers of Tamil Eelam (LTTE)
- Maoist Communist Centre (MCC)
- National Socialist Council of Nagaland (Khaplang) [NSCN(K)], all its formations and front organisations
- National Democratic Front of Bodoland (NDFB) in Assam
- SIMI
- United National Liberation Front (UNLF)
- United Liberation Front of Assam (ULFA)
- Khalistan Liberation Front (banned in December 2018)
- Jammu and Kashmir Liberation Front (JKLF) in 2019

2. NIA Act, 2008 and Special NIA Courts

The National Investigation Agency (NIA) Act was passed by the Parliament in **December 2008**. As per the Act, the NIA has concurrent jurisdiction which empowers the centre to probe terror attacks in any part of the country covering offences, including challenge to the country's sovereignty and integrity, bomb blasts, hijacking of aircraft and ships, and attacks on nuclear installations.

Other than the offenses of terrorism, it also deals with counterfeit currency, human trafficking, narcotics or drugs, organised crime (extortion mobs and gangs), plane hijacking and violations of the Atomic Energy Act and Weapons of Mass Destruction Act.

Various special courts have been notified by the centre for trial of the cases registered at various police stations of the NIA under **Section 11 and**

22 of the NIA Act 2008 . Any question as to the jurisdiction of these courts is decided by the centre. These are presided over by a judge appointed by the centre on the recommendation of the Chief Justice of the High Court with jurisdiction in that region. The Supreme Court of India has also been empowered to transfer the cases from one special court to any other special court within or outside the state if the same is in the interest of justice in light of the prevailing circumstances in any particular state. They are empowered with all powers of the court of sessions under the Code of Criminal Procedure, 1973 for trial of any offense.

The trials by these courts are held on a day-to-day basis on all working days and have precedence over the trial of any other case against the accused in any other court (not being a Special Court). An appeal from any judgement, sentence or order of a special court lies with the High Court. At present, there are 38 special NIA courts . The state governments have also been empowered to appoint one or more such special courts in their states.

2.6.3.2 Steps Taken to Check Terror Funding

- Making terrorist finance an offence under the UAPA
- Integrated action of the security agencies with Financial Intelligence Unit
- Demonetisation
- Improved safety features in new currency
- Strengthening of the PMLA in 2013 and 2018
- A special Combating Financing of Terrorism (CFT) Cell (created in the MHA in 2019)

2.6.4 International Cooperation on Terrorism

Since most of the forms of terrorism have international linkages, international cooperation becomes very important. India has been trying to create an international opinion in favour of designating Jaish-e-Mohammed's Masood Azhar as a global terrorist under Resolution 1267 of the United Nations Security Council . But China has consistently blocked all such efforts.

2.6.4.1 Bilateral and Multilateral Initiatives

The legal framework for combating crime including international terrorism includes treaties on mutual legal assistance in criminal matters, memorandum of understandings/bilateral agreements to counter organised crimes, joint working groups (JWGs) on counter-terrorism/international terrorism which are signed between India and other countries on a bilateral basis. Such treaties/agreements are with a view to secure bilateral cooperation against various forms of crimes like terrorism, drug trafficking, money laundering and counterfeiting of Indian currency notes.

2.6.4.2 Mutual Legal Assistance Treaty

The **Ministry of Home Affairs is the nodal ministry** for concluding Mutual Legal Assistance Treaties in criminal matters which are designed to facilitate the widest measures of mutual assistance in investigation, prosecution and prevention of crime, service of summons and other judicial documents, execution of warrants and other judicial commissions and tracing, restraint, forfeiture or confiscation of proceeds and instruments of crime.

These agreements assume importance in combating transnational organised crimes, trans-border terrorism, crimes and other serious offences, such as drug trafficking, money laundering, counterfeit currency, smuggling of arms and explosives, etc. India has so far operationalised these treaties with 34 countries.

2.6.4.3 Joint Working Groups (JWGs) to Counter Terrorism

The **Ministry of External Affairs (MEA) is the nodal authority** for setting up of JWGs on counter-terrorism to exchange information and strengthen international cooperation to combat terrorism and transnational organised crime. Policy Planning Division acts as an interface with the MEA on issues concerning Joint Working Groups on Counter Terrorism set up between India and other countries to discuss bilateral security issues.

2.6.4.4 Security Council Resolution 2322

On **12 December 2016**, the Security Council unanimously adopted a resolution aimed at enhancing and fortifying judicial cooperation worldwide in countering terrorism. It aims to enhance the efficacy of international legal and judicial systems in their fight against terrorism through operational collaboration. The Security Council resolution on international judicial cooperation has been taken to counter the menace of terrorism at the global level and challenges associated with the prosecution of terrorists in their country of origin or elsewhere for their criminal activities in a foreign country.

The resolution deals with few issues related to counter terrorist activities:

- **Use of applicable international instruments** like bilateral and multilateral treaties and designation of national central authorities for mutual legal assistance and extradition
- **International cooperation** in checking the flow of foreign terrorist fighters and their return from conflict zones and sharing of available information regarding foreign terrorist fighters including their biometric and biographic information
- The resolution suggests that the states should **make financing of terrorism as a serious criminal offence and also to deny a safe haven** to terror financiers and would make the extradition process of wanted terrorists easy

- Increasing role of information technology in gathering and sharing evidence and systematically mobilising the evidence to ensure its admissibility in courts
- Role of multilateral agencies such as the UNODC (United Nations Office on Drugs and Crime) and Interpol in preventing terrorist activities

2.7 Analysing the Level of Preparedness Against Terrorism

The four major roles of anti-terrorist agencies are as follows:

- Intelligence gathering
- Training and operations
- Investigations
- Prosecution

The efficacy of each role has been analysed below:

2.7.1 Intelligence Gathering

This is presently done by both the state police and the central government agencies. NATGRID and MAC, created after 26/11, have been vital additions. However, the information and vital inputs from other government departments and non-government agencies, like financial transactions, passport and visa related crimes, cross-border infiltration, information relating to recovery of fake currencies, etc., still need to be streamlined, co-opted and factored in to facilitate the unveiling and investigation of a larger terror plot. We are in the process of achieving this goal after NATGRID becomes operational.

We also need to educate and train the civil society, media, corporate houses and hotels, which can provide further aid in the task of intelligence gathering. People's participation in preventing terrorist attacks is a vital area which needs careful thought and handling. A system to enable individuals of all age groups and sex to report information, including suspicious men or material, irrespective of how trivial they may be without any fear of harassment needs to be put in place. The police needs to be trained to act as partners of the public to control terrorism. There is a need for a sustained campaign to educate the people in this regard.

2.7.2 Training and Operations

The capability of the state police is limited as far as training and equipment are concerned. The central government agencies have started capacity building over the last five years. But there is a scope for improvement.

As of now, for operations, the **IB plays the role of the coordinator** with the police of different states but if operations need to be carried out simultaneously in many states, there is no unified command. Also, some states do not have the desired capability. Therefore, there is a need for a central agency to coordinate operations all over the country but this agency should work in coordination with the state police and not independently. With creation of four more NSG hubs, we are in a better position for swift operations.

2.7.3 Investigations

Creation of the NIA is a welcome step, and it has been functioning well till now. There is a scope for improvement in the investigating capabilities of the state police. Also, if one central agency investigates all cases of terrorism, which are interlinked and may occur in different states their investigation would be more efficient. This has helped in the creation of a good data bank of various terrorist networks operating both inside and outside the country.

2.7.4 Prosecution

Our criminal justice system is very sluggish and a lot of time is spent in procedural aspects. There should be a time-bound justice system. **Special fast-track courts** should be established for quick disposal of terrorist cases. **We need to improve a lot in this direction**.

2.8 What More Can Be Done?

Dealing with the menace of terrorism would require a comprehensive strategy in which different stakeholders, i.e., the government, political parties, security agencies, civil society and media would have an important role to play.

Political: A **strong political consensus** should be built in the country which says that national interest is supreme, and in national interest, many issues are non-negotiable. They should not be discussed in the media or any other public platform. They should not be decided on the basis of vote-bank politics or party lines.

Legal: We need to have **very stringent laws against terrorism and fast-track courts** which can deliver judgement within three to four months. The police has limited powers against terrorists, and usually the laws against terrorism are not very different from the laws against crime, for example, detention power is only twenty-four hours in both cases. Also, sometimes there is a need to carry out nationwide operations after the arrest of a terrorist which makes it difficult to produce the terrorist in the court within twenty-four hours. We need to evolve a process of criminal justice by which a terrorist can be tried and convicted within three to four months when the memory is fresh

in the minds of the people. The loopholes in the justice system and delayed justice also embolden the terrorists to indulge in violence. With stringent laws sealing all escape routes and delay options, even the families of individuals may serve as a restraining factor to prevent them from indulging in acts of terrorism.

Police: **Strengthening** the state police and **enhancing their training** capabilities and providing them with **modern equipment** for surveillance, **investigation and operations** is the need of the hour. We need to have **modern scientific forensic laboratories**. Also, **special equipment against cyber crimes** is needed because most of the terrorists operate through cyber networks. Cyber laws need to be made stronger.

Media: The role of the media is also crucial in the fight against terrorism. The media often indulges in needless debates on such issues which are of importance from the point of view of national security. In a democracy, debate is always welcome, but on some issues, **the media should take a more dispassionate view**. For example, consider the issue whether SIMI should be banned or not. It is a clear matter of national policy and should be decided on the basis of national interest instead of debating in the media. Similarly, many times the media and the intelligentsia discuss human rights of the terrorists while conveniently ignoring the human rights of the victims.

Public: The **general public needs to be educated about the evil designs of our neighbouring countries**. Both the majority and minority communities should promote interreligious harmony and work together for peace. Security awareness should be a topic in schools like environmental awareness so that all the citizens are aware of basic security issues and are on one platform.

2.9 What is the Difference between Terrorism, Insurgency and Naxalism?

The difference amongst terrorism, insurgency and Naxalism has been defined below. See the figure on the next page for further clarity on this.

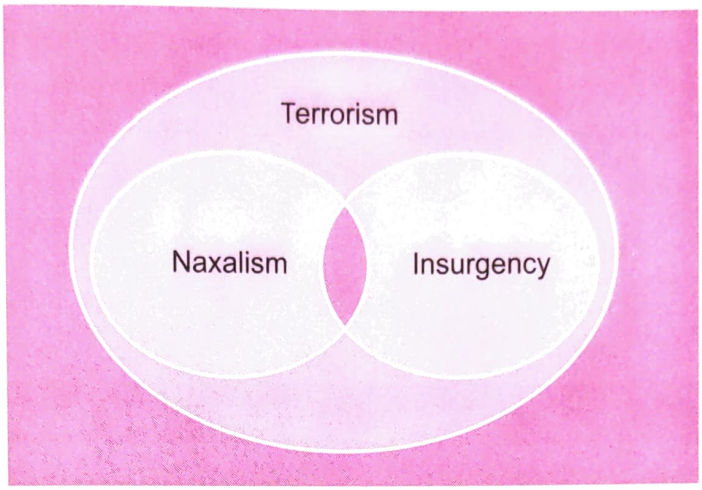
Terrorism: It is the **planned, organised and systematic** use of violence as a means of coercion for political, religious or ideological purposes.

This is a **general term,** and as per the definition of terrorism, insurgency, militancy and Naxalism are all different forms of terrorism.

Insurgency: It is defined as **an act of rebellion and armed struggle** by a section of society with a view to overthrow the government. The important factor here is that invariably, there is a public support for the insurgents. The problems of Nagaland in the early 1950s can be considered as a classical example of insurgency.

Naxalism: Naxalism refers to the **use of violence to destabilise the state** through communist guerrilla warfare activities. Naxalism in India is mostly

based on Maoist ideologies through which they want to overthrow the government by a protracted people's war and install a people's government.



Insurgency and Naxalism are different forms of terrorism, but all terrorism is not insurgency or Naxalism.

Probable Questions Based on This Chapter

1. What do you understand by state actors and non-state actors in the context of terrorism?
2. What is the role of external state and non-state actors in creating challenges to internal security of India?
3. What are the main historical reasons for the presence of hinterland terrorism in India?
4. What are the main funding sources of various forms of terrorism in India?
5. Write a short note on the NCTC.
6. What were the counter-terrorism measures taken after 26/11?
7. Invariably, identity crisis lies at the core of most forms of extremism. What are the various identity factors which fuel extremist tendencies in the Indian context?
8. Some people think that ISIS is a gone force now. Do you agree? Substantiate your views.
9. Compare the current status of three different types of terrorism in India – Kashmir militancy, North-East insurgency and Naxalism.

Chapter 3

Jammu and Kashmir Militancy

3.1 Historical Background

3.1.1 Pre-Independence

After the death of **Maharaja Ranjit Singh**, the British Empire set its sight on the Sikh territories. In the ensuing battle, **Gulab Singh** (a Dogra general in Maharaja Ranjit Singh's service who was rewarded as the king of Jammu by Ranjit Singh) sided with the British. The resultant defeat of the Sikhs resulted in the signing of the **Treaty of Lahore on 16 March 1846**. In accordance with the Treaty, Kashmir was handed over to Gulab Singh for a sum of **₹75 lakh** in return for his acceptance of British suzerainty. Since then Kashmir was ruled by the Dogra Dynasty.

3.1.2 Post-Independence

Jammu and Kashmir was the largest princely state in 1947. Despite having nearly 77 per cent Muslim population, it was ruled by a Hindu king **Maharaja Hari Singh**. The state was known for pluralism and a culturally diverse society. There were **five main regions**:

- **Province of Jammu**, a Hindu dominated, largely plain area or low hills bordering Punjab
- To the **north of Jammu**, the Sunni Muslims dominated the Kashmir valley with a significant population of Hindu Kashmiri Pandits. The valley was one of the most beautiful parts of India with large number of tourists visiting in summer. There was a substantial Sikh presence in both the Jammu province and Kashmir valley
- To the **east of the valley**, the hilly area of Ladakh was predominantly Buddhist with a slight presence of Shia Muslims. It shared borders with Tibet
- The last two are the regions of **Gilgit and Baltistan**. These two regions were very thinly populated with mostly Shia Muslims. Gilgit and Baltistan shared borders with Afghanistan and the Sinkiang

province of China. It was also very close to the former Soviet Union. The geo-political location of the state of Jammu and Kashmir made it very crucial strategically

3.1.3 Instrument of Accession and Referendum

On **15 August 1947**, fearing forced accession to India on one hand and communal backlash (due to dominance of Muslims) from Pakistan on the other, **Maharaja Hari Singh** did not accede to either India or Pakistan. He hoped for an **independent, sovereign** and completely neutral state. **Sheikh Abdullah** consistently refuted the **two-nation theory** and he was perceived as a custodian of secularism in Kashmir. Hari Singh offered to sign a **'stand-still agreement'** with both the countries which would allow free movement of people and goods across the borders. Pakistan signed the agreement, but India said it would wait and watch. But relationship with Pakistan deteriorated soon when Pakistan suspended rail services between Sialkot and Jammu in September 1947. In October 1947, while Sheikh Abdullah was leading a widespread agitation for complete transfer of power to the people of Kashmir, several Pathan tribesmen with the help of Pakistan Army invaded Kashmir.

The Maharaja asked Nehru for military help. Initially Nehru did not support accession without ascertaining the will of the people. But Mountbatten insisted that under international law, troops could be sent to Kashmir only after the state's formal accession to India. Sheikh Abdullah and Sardar Patel too insisted on the accession. Finally, on **26 October 1947**, the Maharaja acceded to India by signing the **Instrument of Accession** and also agreed to appoint Abdullah as the head of the state's administration.

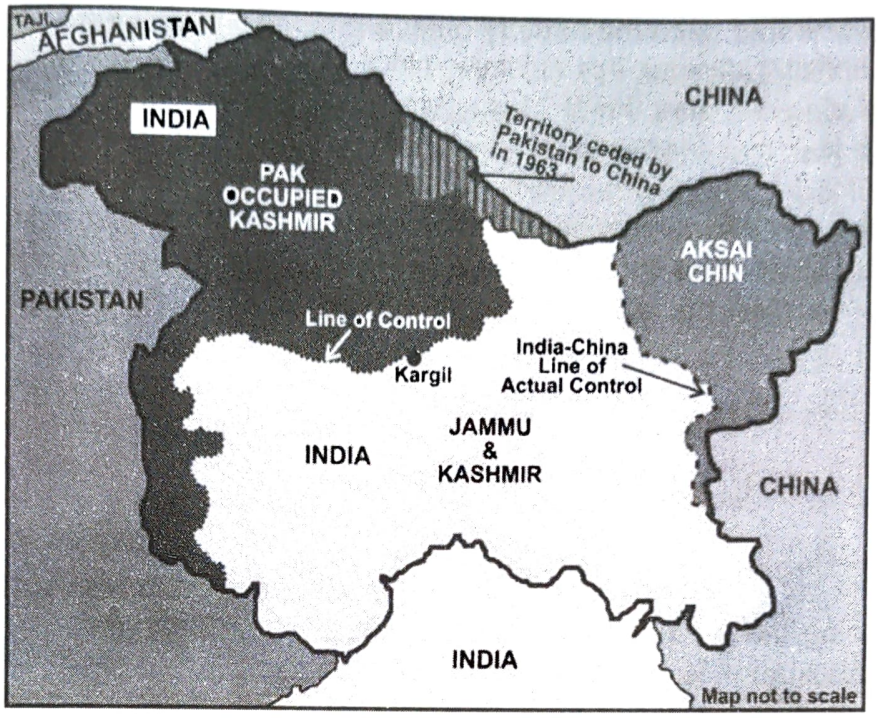
As per this **Instrument of Accession**, except for defence, foreign affairs, finance and communications, the Indian Parliament would require the state government's concurrence for applying all other laws.

Even though both the National Conference and the Maharaja wanted firm and permanent accession, Nehru took a highly idealistic and controversial step by announcing that it would hold a referendum on the accession decision once peace, law and order had been restored in the valley. This decision was taken to show India's commitment to democracy and to honour Mountbatten's advice.

After the accession, the invaders were gradually driven out of the Valley by Indian troops except the area which is known as **'Pakistan occupied Kashmir (PoK)' in India** and **'Azad Kashmir' in Pakistan**.

3.1.3.1 Kashmir's UN Connection

At this stage, Mountbatten suggested the Government of India to refer the Kashmir problem to the UN. Through the intervention of the UN Security Council, India and Pakistan arrived at a **ceasefire agreement on 1 January 1949**. The ceasefire line established came to be known as the **Line of Control (LoC)**.



In 1951, the **UN passed a resolution providing for a referendum under the UN supervision** after Pakistan had withdrawn its troops from the parts of Kashmir under its control. The resolution has remained infructuous till date since Pakistan has refused to withdraw its forces from PoK. Plebiscite in Kashmir never took place. A **UN Military Observer Group in India and Pakistan (UNMOGIP)** still continues to supervise the ceasefire line and reports any violation of ceasefire. **It is only for the state of Jammu and Kashmir that the accession of the state to India is still a matter of dispute between India and Pakistan and is still on the agenda of the UN Security Council.**

Since then, Kashmir has been the main obstacle in the path of friendly relations between India and Pakistan. India has regarded Kashmir's accession as final and irrevocable and Kashmir as its integral part. Pakistan continues to deny this claim and tries to raise the issue on international platforms while India says that it is a bilateral issue.

3.1.3.2 Constituent Assembly of Jammu and Kashmir

The people of Jammu and Kashmir then convened a Constituent Assembly in 1951, which once again reaffirmed the accession of the state to India in 1956 and finalised the Constitution for the state. **The Jammu and Kashmir Constitution reaffirms that 'the State is and shall be an integral part of the union of India'.**

3.1.4 Shimla Agreement, 1972

Withdrawal of the Pakistani troops from the northern areas, collectively referred to as PoK by India – and its reintegration with the rest of Jammu

and Kashmir had been the primary objective of India during the initial phase of the conflict. However, this objective slowly changed in a shift that became visible during and after the 1971 war with Pakistan. An LoC was established after this war, and it is widely believed that during negotiations leading to the Shimla Agreement (signed on 2 July 1972) that followed the war, India and Pakistan agreed to convert this line into a permanent border between the two countries. Ever since, India's primary objective in the conflict of Kashmir has been to maintain the status quo and convert the LoC into an international border.

3.2 Kashmir Militancy – Low-Intensity War or Proxy War by the ISI

3.2.1 Beginning of Insurgency

After losing the initial battle in 1947 and the two main wars in 1965 and 1971, Pakistan resorted to the tactics of low-intensity warfare as it realised that it could not win over India in a full-scale direct war. It first supported the terrorist movement in Punjab and then started a separatist and militant insurgency in Kashmir in the late 1980s. This low-intensity war between the two countries continues even today in the name of jihad. It is a perpetual cause of worry to India.

In 1987, a disputed state election acted as a catalyst for the insurgency when it resulted in some of the state's legislative assembly members forming armed insurgent groups. In July 1988, a series of demonstrations, strikes and attacks took place. In 1989, a widespread popular and armed insurgency, supported tacitly from across the border started, which during the 1990s escalated into one of the most dangerous internal security issues in India.

It was the beginning of the *mujahideen* insurgency and continues to this day. The insurgency was largely started by Afghan mujahadeen who entered the Kashmir Valley following the end of the Soviet–Afghan War.

Initially, the already existing Jammu and Kashmir Liberation Front (JKLF) was used as part of this insurgency. It was created in 1964, reorganised in 1971 and then used for the above mentioned purpose. The JKLF was the main insurgent Kashmiri group in the 1990s. Yasin Malik, a leader of the JKLF, was one of the Kashmiris to organise militancy there. The main demand of the organisation was independence of Kashmir. Since 1995, one faction of JKLF under the leadership of Yasin Malik has renounced the use of violence and calls for strictly peaceful methods to resolve the dispute. But many new terrorist organisations have been leading the violent activities in the valley, like Hizbul Mujahideen, Lashker-e-Taiba, Jaish-e-Mohammed, Al-Badar, Harkat-ul-Ansar and Harkat-ul-Jehad-e-Islami (HuJi). They infiltrated through the LoC. Pakistan's intelligence agency ISI and the Government of Pakistan directly supported, funded and provided training, weapons and so on to these terrorist organisations. This could be a well-planned ISI move to

replicate of the Punjab militancy model. These terrorist groups succeeded in ethnic cleansing of Kashmir by forcing nearly four lakh Kashmiri Pandits to flee the valley. Their properties and land were seized resulting in an acute demographic change in the valley. The Kashmiri Pandits, many of whom continue to live in temporary refugee camps in Jammu and Delhi, are still unable to return safely to their homeland. The government's inability to protect them has been one of the stark failures of successive governments.

Many human rights organisations such as **Amnesty International and the Human Rights Watch (HRW)** regularly accuse Indian armed forces for human rights violations like 'extra-judicial executions', 'disappearances', torture and suppression of freedom of speech in Kashmir.

3.2.2 Crowd Mobilisation

The elections held in 2008 were generally regarded as fair by the United Nations High Commissioner for Refugees. They had a high voter turnout in spite of calls by militants for a boycott, and led to the pro-India Jammu and Kashmir National Conference forming the government in the state. The high voter turnout was seen as a sign that the people of Kashmir wanted peace and harmony. There has been a change of strategy by the ISI in Kashmir in the last 4–5 years. Crowd mobilisation has been **used as a tactic to defame the Indian security forces (SFs) and to internationalise the Kashmir issue**. **Stone pelting** has become a routine feature of street protesters in Srinagar since the summer of 2008 when Amarnath land transfer became a hot issue for widespread agitation in the valley. Kashmiri teenagers have been involved in stone pelting. There have been protest movements in Kashmir since 1989. Even a small incident is exaggerated by separatists for gaining political mileage. There was an increase in these incidents after **Afzal Guru**, the prime accused in the Parliament attack, was hanged to death in Delhi in February 2013. The encounter of **Burhan Wani** in 2016 further worsened the situation in Kashmir, and this also led to increase in radicalisation among the youth of the valley.

The security situation has deteriorated over the **last five years**, which is evident from the table below.

Year	Incidents	SFs killed	Civilians killed	Terrorists killed
2014	222	47	28	110
2015	208	39	17	108
2016	322	82	15	150
2017	342	80	40	213
2018	614	91	39	257
2019	594	80	39	157

(Source: MHA)

3.2.3 What is Low-intensity War and Why Was it Adopted by the ISI?

- Low-intensity war is a long and protracted strategy to achieve a desired result, which cannot be achieved through direct war. It **can be in the form of**:
  - Armed Revolt
  - Guerrilla Warfare
  - Political Revolution
  - National War of Independence

3.2.4 Modus Operandi of Proxy War in Jammu and Kashmir

- To **run a malicious campaign from Pakistan and PoK** to mar India's image in print and electronic media
- To **facilitate infiltration of terrorists** from across the border and keep Indian SFs constantly engaged in fighting terrorists
- To **attack the secular foundation** of the state and support fundamentalist Islamic activities and ensure exodus of Hindus from the valley
- To **internationalise the Kashmir issue** at every forum and paint India as a persecutor of Muslims
- To **increase terrorist activities** in Muslim-dominated districts of the Jammu region
- To **change the low-intensity war to high-intensity war** at an appropriate time and term it as **War of Independence**

3.2.5 Civil Unrest in Kashmir since July 2016

Burhan Muzaffar Wani was the **commander of Hizbul Mujahideen** whose social media campaign had an outreach among a section of Kashmiri Muslim youth. He was **killed in an encounter with the SFs on 8 July 2016**.

An estimated crowd of **2,00,000 people came to mourn Burhan** at his funeral on 9 July described as the largest ever gathering by reporters. Militants were also present at his funeral.

After the news of his death spread, violent protests erupted in some areas of the Kashmir Valley. Separatist leaders have called for shutdown in Kashmir which has been repeatedly extended. Police stations and SFs have been attacked by mobs. Stone pelting was reported from many parts in Kashmir including upon transit camps of Kashmiri Pandits. Internet services along with train services were suspended and the national highway has been closed. The Amarnath pilgrimage has been repeatedly resumed and suspended due to the unrest. Hundreds of Kashmiri Pandit employees fled the transit camps during night time on 12 July due to the constant attacks by

protesters on the camps. The house where Burhan was killed was set ablaze by a mob on suspicion that its residents had tipped off the SFs about him. Curfew was imposed in all districts of Kashmir on 15 July and mobile phone networks were suspended.

By 16 July, forty-three died and over 3,100 people including a number of security personnel were injured in the protests in Kashmir.

On **12 July**, **Nawaz Sharif in a statement expressed 'shock' over the killing of Burhan Wani** which was criticised by the Indian Government. Sharif called Wani a 'martyr' on 15 July. **The Indian Ministry of External Affairs in response criticised Pakistan for 'glorifying'** terrorists belonging to proscribed terrorist organisations. **PM Narendra Modi criticised the media alleging it was portraying the slain Wani as a 'hero'**. The situation is returning quickly to normalcy.

This is highly tragic that terrorism in Kashmir has now taken such deep roots. It is a cause of serious concern for the Indian government and SFs. Glorifying terrorism and such level of mass support call for a deep introspection by the Government of India. The time has come that the centre rethinks its Kashmir strategy.

3.2.6 Operation All-Out

Operation All-Out was an **Anti-Militancy Operation** launched in Jammu and Kashmir on **July 2017** to flush out the terrorists. Its long-term plan is to establish peace in the valley, and as many as 258 terrorists from various terror outfits like the Lashkar, Jaish, Hizbul and Al-Badr have been short-listed for **Operation All-Out**.

Intelligence agencies carried out a secret district-wise survey to identify militant hideouts, and prime locations of terrorist activities were mapped well before the exercise got a go-ahead.

3.3 Pulwama and Balakot: A Paradigm Shift in Strategy Against Terrorism

On **14 February 2019**, India witnessed one of the most deadliest suicide attacks wherein more than forty CRPF soldiers lost their lives on the Jammu–Srinagar Highway.

The **78-vehicle convoy of CRPF was attacked** by an explosive-laden SUV near **Awantipora in Jammu and Kashmir's Pulwama district**.

The suicide bombing by the SUV was conducted by a twenty-year old suicide bomber named **Adil Ahmad Dar** with links to terror outfit **Jaish-e-Mohammed**, which later claimed responsibility for the attack. The **Pathankot Airbase attack in 2016** was also conducted by this terror outfit.

The Pulwama attack led to a wide emotional upsurge in the citizens of the country.

In response to this attack on **26 February 2019**, the **Indian Air Force with 12 Mirage 2000 fighter planes struck terrorist camps** operating in Balakot and other locations destroying terror camps of Jaish-e-Mohammed and claimed the lives of more than 300 terrorists who were being trained there. It was a **non-military pre-emptive attack** after Indian intelligence received information of more suicide attacks by the terror outfit.

This is a paradigm shift in **India's strategy against terrorism**. The **strategy of counter-attack at such a massive scale** would bring further fear in the minds of the terrorist organisations and would act as a deterrent, which is the principle on which Israel has achieved great success in counter-terrorism. After twenty years of Kandahar handing over of terrorists, India has changed its image from a soft state to a state which can go to any extent in its fight against terrorism. The Indian Air Force has entered Pakistani airspace for the first time since the 1971 war.

The **strategy of pre-emptive strike** has proved its worth in the case of Israel. For India, it is the first time that it has been used, and it is believed that it will certainly act as a deterrent. Till now India had been only busting sleeper cells and other modules of ISI-backed terrorists or carrying out investigations on post-terrorist attacks, and terrorists were taking advantage of this policy of India. They were also aware that the criminal justice system of India would offer them ample opportunities to defend themselves and escape the clutches of the law.

3.4 Government of India's Development-Oriented Programmes in Kashmir

3.4.1 The Prime Minister's Development Package (PMDP) for Jammu and Kashmir, 2015

The **Prime Minister announced** a package of **₹80,068 crore** towards **Special Assistance to Jammu and Kashmir for the development of infrastructure**. The package consists of 63 projects relating to 15 ministries/departments. In the package, ₹62,393 crore has been earmarked for new initiatives/projects. This includes projects of road, power, new and renewable energy, tourism, health, education, water resources, sports, urban development, defence and textile sectors. This includes allocation for opening of two AIIMS-like institutions in Jammu and Kashmir and establishment of the IIM and IIT in Jammu. Under the road sector, 105 kms of roads under the Bharatmala Project, Zozila Tunnel, Kargil–Zanskar, Srinagar–Shupiyan–Quazigund, Jammu–Akhnoor–Poonch roads and construction of a semi-ring road in Jammu and Srinagar are proposed to be taken up. Power sector projects include special assistance for infrastructural development of power distribution system in Jammu and Srinagar, tourist destinations, smart grids and smart meters and two solar pilot projects of 20 MW each in Leh and Kargil. Provision has been made for the development of urban

infrastructure including smart cities, Swachh Bharat Mission and Atal Mission for Rejuvenation and Urban Transformation (AMRUT).

In addition to allocation of ₹62,393 crore for new initiatives, ₹7,427 crore has been allocated for ongoing/existing projects of the Prime Minister's Reconstruction Plan (PMRP), 2004; ₹7,263 crore for projects to be undertaken within existing budget line and ₹2,985 crore for Roads and Highways Projects under Public–Private Partnership. **Physical and financial progress of the projects under the PMDP, 2015 is being regularly monitored by the Ministry of Home Affairs**.

3.4.2 Project UDAAN

The project 'UDAAN', an **initiative by the Prime Minister, the National Skills Development Corporation and the Ministry of Home Affairs and industry** was started with the aim of providing skills to 40,000 youth over a period of five years.

3.4.3 Appointment of the Government of India Representative

Dineshwar Sharma, the former Director of Intelligence Bureau, has been appointed (in October 2017) as the Representative of the Government of India to initiate and carry forward a dialogue with elected representatives, various organisations and concerned individuals in the state of Jammu and Kashmir. He has been given the **status of Cabinet Secretary to the Government of India**. He has made three visits to Jammu and Kashmir till December 2017 to have a discussion with various stakeholders.

Some of the other schemes are as follows:

- **Newly developed rail network** to connect the valley
- **₹900 crore worth road infrastructure** development programme in Jammu and Kashmir on the lines of the Naxal-affected areas
- **Special scholarship scheme** for Jammu and Kashmir to encourage the youth to pursue higher studies outside their state. The total cost of the scheme will be ₹1,200 crore
- **Project 'Umeed'** for the empowerment of women
- **Project 'Himayat'** for capacity building and employment of youth
- People-to-people contact with the rest of India through **'Bharat Darshan' programmes**
  - (i) **Capital investment subsidy** @ 15% of the total investment in plant and machinery subject to ceiling of ₹30 lakh. However, MSMEs would be eligible for capital investment subsidy @ 30% of the investment of plant and machinery subject to ceiling of ₹3 crore and ₹1.5 crore for manufacturing and service sector, respectively to all new and existing industrial units on their substantial expansion.

(ii) **Three per cent interest subsidy** on the average of daily working capital loan to all new units for a period of five years from the date of commencement of commercial production.

(iii) **Central Comprehensive Insurance Subsidy Scheme** with 100% reimbursement of premium to all new and existing units on their substantial expansion for a period of five years from the date of commencement of commercial production.

Operation Sadbhavana

Operation Sadbhavana, also referred to as Operation Goodwill, has been launched in Jammu and Kashmir by the Indian Army under their Military Civic Action programmes, which are aimed at 'Winning the Hearts and Minds', (WHAM) of the people in the region. Sadbhavna literally means 'harmony', therefore, the operation can also be interpreted as Operation Harmony. The catchphrase of the operation is "Jawan aur Awam, Aman Hai Muqaam" (peace is the destination for both the people and the soldier)

3.5 Key Issues

3.5.1 Article 370

This article specifies that except for defence, foreign affairs, finance and communications (matters specified in the instrument of accession), the Indian Parliament needs the state government's concurrence for applying all other laws.

Thus, the state's residents live under a separate set of laws, including those related to citizenship, ownership of property and fundamental rights, as compared to other Indians.

The Government of India vide the **1974 Indira–Sheikh Accord** committed itself to keeping the relationship between the union and Jammu and Kashmir state within the ambit of this article.

The President may, by public notification, declare that this article shall cease to be operative or shall be operative only with such exceptions and modifications and from such date as he may notify, provided that the recommendation of the constituent assembly of the state shall be necessary before the President issues such a notification.

The 1974 Indira–Sheikh Accord mentions that 'The State of Jammu and Kashmir which is a constituent unit of the Union of India, shall, in its relation with the Union, continue to be governed by Article 370 of the Constitution of India'.

3.5.1.1 Applicability of the Constitution of India to Jammu and Kashmir

In exercise of the powers conferred by **Clause (1) of Article 370 of the Constitution**, the President with the concurrence of the Government of the State of Jammu and Kashmir made the **Constitution (Application to Jammu and Kashmir) Order, 1954**, which came into force on **14 May 1954**.

3.5.1.2 Demand for Abrogation of Article 370

Equally valid arguments were forwarded by those in favour of and against its abrogation.

Arguments in favour: The arguments **in favour of Article 370** include the following:

- It has created certain psychological barriers, and it is the root cause of all the problems in Jammu and Kashmir.
- This Article encourages secessionist activities within Jammu and Kashmir and other parts of the country.
- At the time of enactment, it was a temporary arrangement which was supposed to be repealed gradually.
- It acts as a constant reminder to the Muslims of Jammu and Kashmir that they have still to merge with the country.

Arguments against: The arguments **against the abrogation of Article 370** include the following:

- Abrogation will have serious consequences. It will encourage secessionists to demand plebiscite which will lead to internationalisation of the issue of Jammu and Kashmir.

3.5.2 Abrogation of Article 370

On **5 August 2019**, the Government of India announced the **revocation of Article 370 of the Constitution**. This was a long overdue measure that will help to stabilise the situation in the valley by fully integrating the state of Jammu and Kashmir into India.

Article 370 granted the state of Jammu and Kashmir considerable political autonomy apart from defence, foreign affairs, finance and communication. It was a point of debate since long. As per the government, this was basically done to bring Kashmir on the same footing with the rest of India. Also, with the increase in the separatist movement activities and ISI-funded stone pelting events that were on the rise in recent times, a disruptive environment was created in the valley and such a step was thus the need of the hour.

Map not to scale

3.5.3 Jammu and Kashmir Reorganisation Act, 2019

The Jammu and Kashmir Reorganisation Act, 2019 came into force on **31 October 2019**. The act provides for the reorganisation of the state of Jammu and Kashmir into the Union Territory of Jammu and Kashmir and Union Territory of Ladakh.

With the new reforms, Jammu and Kashmir will become a Union Territory with an assembly while Ladakh has been formulated into a separate Union Territory without a legislative assembly.

Main features of this Act are as follows:

- **Legislative Assembly of Jammu and Kashmir:** The Bill provides for a Legislative Assembly for the Union Territory of Jammu and Kashmir. The **total number of seats in the Assembly** will be **107**. Of these, 24 seats will remain vacant on account of certain areas of Jammu and Kashmir being under the occupation of Pakistan. Further, seats will be reserved in the Assembly for Scheduled Castes and Scheduled Tribes in proportion to their population in the Union Territory of Jammu and Kashmir. In addition, the Lieutenant Governor may nominate two members to the Legislative Assembly to give representation to women, if they are not adequately represented.

  The Assembly will have a **term of five years**, and the **Lieutenant Governor** must summon the Assembly at least once in six months. The Legislative Assembly may make laws for any part of the Union Territory of Jammu and Kashmir related to:

  (i) any matters specified in the State List of the Constitution, except 'Police' and 'Public Order'

  (ii) any matter in the Concurrent List applicable to the Union Territories. Further, the Parliament will have the power to make laws in relation to any matter for the Union Territory of Jammu and Kashmir.

- **Council of Ministers:** The Union Territory of Jammu and Kashmir will have a Council of Ministers of **not more than 10 per cent of the total number of members in the Assembly**. The Council will aid and advise the Lieutenant Governor on matters that the Assembly has powers to make laws. The Chief Minister will communicate all decisions of the Council to the Lieutenant Governor.
- **High Court:** The High Court of Jammu and Kashmir will be the common High Court for the Union Territories of Ladakh and Jammu and Kashmir. Further, the Union Territory of Jammu and Kashmir will have an Advocate General to provide legal advice to the government of the Union Territory.
- **Legislative Council:** The Legislative Council of the State of Jammu and Kashmir will be abolished. Upon dissolution, all Bills pending in the Council will lapse.

- **Extent of Laws:** The schedule lists **106 central laws** that will be made applicable to Union Territories of Jammu and Kashmir and Ladakh on a date notified by the central government. These include the Aadhaar Act, 2016; the Indian Penal Code, 1860; and the Right to Education Act, 2009. Further, it **repeals 153 state laws of Jammu and Kashmir**. In addition, **166 state laws will remain in force, and seven laws will be applicable with amendments**. These amendments include lifting of prohibitions on lease of land to persons who are not permanent residents of Jammu and Kashmir.

3.5.3.1 Implications

- The abrogation of Article 370 means that all the **central laws will apply** to the new Union Territory.
- The fifth schedule to the Act also lists **106 Central Acts** which will now be applicable in the new Union Territory, while **153 State Acts** will be repealed.
- The Assembly will have the **ability to frame laws** on issues in the State and Concurrent Lists, though this is restricted – no power over public order and police.
- There will be, for the first time, **reservations for Scheduled Castes and Scheduled Tribes in Jammu and Kashmir**; part of a broader scheme of extending national reservations and progressive amendments applicable to the region. For example, the 2005 Hindu Succession Act amendments that gave women equal inheritance rights as men will now apply. The restrictions on the transfer of property under Section 139 of the Jammu and Kashmir Transfer of Property Act stands cancelled.
- All the **centre's scholarship schemes** shall also be applicable to the region. The emphasis on schemes that touch individual beneficiaries comes from the belief that this will have a perceptible impact on the ground and highlight the government's intent to residents on the development front.
- For Ladakh, it is a welcome move as the region has suffered for the last seven decades due to neglect. Its new status as a Union Territory will not only boost development but also create jobs in the region. **It fulfills the long-standing aspirations of the people of Ladakh**.

3.5.3.2 International Reaction

Almost all the countries of the world supported India and called the matter as a sovereign affair of India, and refused to treat it as violation of any international treaty as claimed by Pakistan. However, a few countries like China, Pakistan and so on criticised India's move and even went to international organisations like the UN for international intervention on Kashmir.

The **United Nations Security Council (UNSC)**, for the first time in decades, also held a closed door meeting on Jammu and Kashmir on

16 August 2019, two weeks after the Indian Parliament voted to revoke the special autonomous status provided to the state and to split the province into two separate territories. The UNSC refused to pass any resolution. Pakistan made several other efforts with the help of China to raise the issue on various international forums but failed to get any positive response. This is being considered as a big diplomatic victory for India.

3.5.3.3 Analysis of the Act and Its Implications from an Internal Security Point of View

(i) This step has been a **big breakthrough event** in the Indian history and especially on the internal security front. The decision was taken in the interest of national security and integrity of India. It would demoralise the separatist groups operating in the valley and also is a big blow for the ISI operating in our territory.

(ii) The primary logic in favour of the historic step is that Article 370 was supposed to give greater regional autonomy to the state of Jammu and Kashmir; but despite Article 370 being in place for almost seventy years, we achieved almost nothing, neither state autonomy nor national integration. Instead, the law and order situation went from bad to worse in the state since 1989. Therefore, there was no need to carry on with **Article 370, which had proved counterproductive to the national integrity**.

(iii) The real challenge with the bill was its **smooth implementation** in the valley as it could have started a chain of serious protests and could have resulted in violent activities. The government and its security agencies under the guidance of National Security Advisor did meticulous planning and prepared well in advance and implemented the action plan with a strong willpower that helped in achieving almost a smooth switchover.

(iv) Several questions have been raised about the step with the basic argument that this is a violation of the Principle of Federalism and of Article 3 of the Constitution. Also, questions have been raised regarding violation of human rights given the house arrest of prominent leaders and also on the ban of Internet and communication in the valley for a long time. **Although, some hard steps were taken by the government, but that was indeed the need of the hour to maintain peace and security in the valley in the larger interest of the national security and integrity. Sometimes, we have to forgo our basic comforts for the sake of the country.**

(v) Last but not the least, the separatist elements in Kashmir and Pakistan had believed that most of the international community will stand against India for violation of the treaty. They failed miserably and Indian diplomacy proved superior and the UN, and majority of the other international countries supported India's stand that it was our internal affair and there was **no need of international intervention**.

3.5.3.4 Jammu and Kashmir after Abrogation of Article 370 and Article 35A

As per the MHA reports, terror-related activities have reduced by 36% after one year of abrogation of Article 370. In last one year, only 26 terrorist infiltrated from PoK and only 67 youths were radicalised to join ranks of terrorists. Overall, we can say that there has been a clear-cut decline in terror-related activities.

Secondly, our SFs have started **intelligence-based operations**, thus, making progress towards conflict resolution. The best part is that most of the operations have not faced stone pelting, as was the case earlier.

Good governance has started to deliver its results and domicile certificates have been issued to over four lakh people; job vacancies have been increased; reservations have been given to Pahari-speaking people and to economically weaker sections and seventh pay commission introduced.

Still it cannot be said that in a year, we have created a favourable condition for the return of Kashmiri Pandits with dignity and honour; naturally it will take time.

As far as the question of restrictions on the Internet is concerned, the situation has improved slowly but steadily as the law and order situation is getting back to normal.

On the international front, China has openly come in support of Pakistan on the issue of Article 370, but it has largely failed to create much of an impact.

3.5.4 Article 35A

Article 35A was added to the Indian Constitution in 1954 by means of a Presidential Order. This was a part of the deal struck between the Maharaja of Kashmir, Hari Singh and the Republic of India to protect the privileges of Kashmiri residents from outsiders.

Article 35A is a provision incorporated in the Constitution giving the Jammu and Kashmir Legislature complete freedom to decide who all are 'permanent residents' of the State and confer on them special rights and privileges in public sector jobs, acquisition of property in the state, scholarships and other public aid and welfare. Article 35A imposes restrictions upon the non-permanent residents by restricting their government employment prospects, and the right to vote.

The provision mandates that no act of the legislature coming under it can be challenged for violating the Constitution or any other law of the land.

3.5.4.1 Current Status of Article 35A

On **5 August 2019**, the President of India issued a **presidential order**, according to which **all the provisions of Constitution of India will now apply to the State of Jammu and Kashmir**. That means the state's separate constitution is no more valid including the privileges sanctioned by Article 35A.

3.5.5 Should a Referendum Be Done?

In the present scenario, a referendum will be meaningless as a lot has changed in the last seventy years, including the demography of Kashmir as about four lakh Kashmiri Pandits were displaced forcibly in the 1990s. Pakistan has never withdrawn its troops from PoK, which was a pre-condition to the referendum. Therefore, India should not agree to the demand for referendum.

3.5.6 Why are there Frequent Ceasefire Violations by Pakistan?

Ceasefire violations are planned by the ISI mainly to keep the Jammu and Kashmir issue alive, to try to internationalise it and to keep the Indian forces engaged and to aid the infiltration of the terrorists into the Indian territory.

3.5.7 Issue of Rehabilitation and Resettlement of the Kashmiri Pandits

Who are Kashmiri Pandits?

- Kashmiri Pandits are Hindu Kashmiris native to the Kashmir Valley, and the only remaining Hindu Kashmiris after the large-scale of conversion of the Valley's population to Islam during the medieval times.

Exodus of Kashmiri Pandits

- Kashmiri Hindus began to leave in much greater numbers in the 1990s during the eruption of militancy, following persecution and threats by radical Islamists and militants.
- Around seven lakh Kashmiri Pandits fled the valley in the wake of terrorism during 1989–90. Most of them either settled in outskirts of Jammu, Delhi or other parts of north India.
- According to a report from a 2020 parliamentary group, Jammu and Kashmir has 64,827 registered migrant households, including 60,489 Hindu families, 2,609 Muslim families, and 1,729 Sikh families.
- 43,494 families are registered in Jammu, 19,338 in Delhi, and 1,995 in other states and union territories, out of a total of 64,827.

Kashmir Files and issue of resettlement

The movie *Kashmir Files* was released in March 2022 which focussed on the incidents between 1990 to 92 , thus again highlighting the plight of Kashmiri pandits and need for their rehabilitation.

In 2008, Government announced a special package for return and rehabilitation of Kashmiri migrants to the valley. The package included housing, transit, accommodation, scholarship, employment and waiver of interest rates. The package offered to each family for construction of houses was of ₹7.5 lakh. But the plan is yet to succeed.

Over 1,900 educated youths were given employment under the Prime Minister's job package, but they were also forced to flee to Jammu during the stone pelting after the death of Burhan Wani in 2016.

In 2017, Home Minister announced to construct 6,000 transit accommodation for the Kashmiri Pandits. Given the disturbed security environment in the valley, it is extremely difficult to achieve rehabilitation only by the provision of space for habitation or even jobs for sustenance.

Recently in 2022 there have been targeted killings of Kashmiri pandits and other migrants again causing fear in the community who were thinking of resettling in the valley under the changed circumstances, thus resulting in a big setback.

Since Kashmiri Pandits are the original inhabitants of Kashmir since ages, they must be helped to get back to their motherland. We must create such a congenial atmosphere in Kashmir that these people would really want to go back. Patience, perseverance, planned strategy and a positive response from original inhabitants through sustained efforts will certainly give results.

3.5.8 Stone Pelting

Stone pelting activity in Kashmir largely happens due to a spate of encounters of local militants with the SFs. It was systematically organised by the members of the Hurriyat backed by the ISI through WhatsApp groups and Facebook pages, and was funded by money flowing in from neighboring country. Apart from Hurriyat, a large section of the youth in the valley is spontaneously resorting to stone pelting.

The year 2016 witnessed 1,742 incidents of stone pelting against CRPF personnel.

3.5.8.1 Actions Taken by the Government

In 2017, the NIA had registered cases on various **Hurriyat leaders** and alleged that stone pelting was organised by separatists at the behest of Pakistan. The NIA's action against Hurriyat leaders in a terror-funding case had considerably brought down stone-pelting incidents.

3.5.9 Pellet Gun

Pellets guns are a form of **non-lethal crowd control methods** used by police and military worldwide. Other popular methods are tear gas, water cannon, pepper spray and so on. Non-lethal weapons are used in combat situations to limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

Pellets guns are intended to injure individuals and cause pain. They are effective over short ranges, up to 200 yards, but when fired from close quarters can be lethal, particularly when sensitive parts such as eyes are hit.

Humanitarian activists say the use of pellet guns is not in line with international standards on the use of force. The objectives of the police should be achieved in a less harmful way with other devices which can be more accurately aimed, and where the risk of harm can be better controlled.

Plastic Bullet: In 2017, the Supreme Court asked the Centre to consider other effective measures following which the government asked the SFs to use plastic bullets.

TNSV Prasad Committee: It has been **formed by the MHA (seven-member committee)** to review the use of pellet guns. It recommended the use of pellet guns only in the rarest of rare cases.

In practice, the SFs are using other means also to control stone pelting, but pellet guns are not fully out of use.

3.5.10 Human Shield

In **April 2017**, **Major Leetul Gogoi**, an army officer, tied a shawl maker, Farooq Ahmad Dar, to a vehicle allegedly as a shield against stone pelters and paraded him on different streets during the Srinagar parliamentary bypolls. The incident was filmed and shared on social media, causing uproar in the Muslim-majority Kashmir Valley. The use of Dar as a human shield was criticised around the world. Amnesty International described it as 'cruel, inhuman and degrading treatment amounting to torture'.

There have been arguments 'for' and 'against' the use of a human shield. But, for the SFs it is better to use more humanitarian methods.

Probable Questions Based on This Chapter

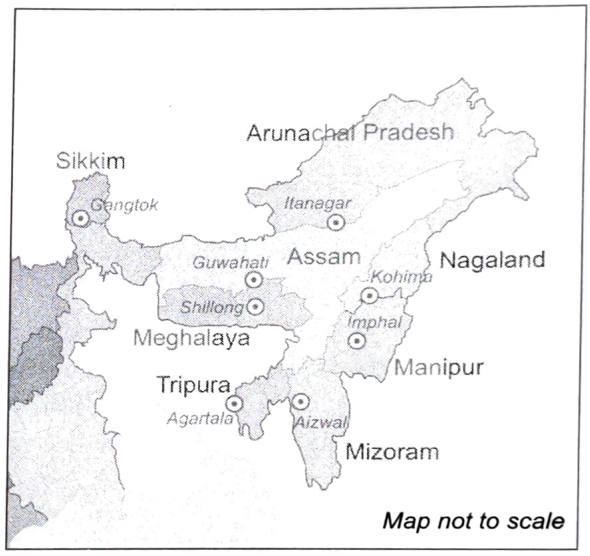
1. Write a short note on the instrument of accession of Jammu and Kashmir with India.
2. What is the present political and security status of Jammu and Kashmir?
3. How has Pakistan's ISI changed its strategy regarding Kashmir in the last five years? Elaborate with suitable examples.
4. What is the modus operandi of ISI in aiding and abetting extremism in Kashmir?
5. What are the development initiatives taken by the Central Government in Kashmir?
6. What is Article 370? Analyse the impact of abolishing Article 370.
7. What steps have been taken by the Centre to curb terrorism in recent times in Jammu and Kashmir?
8. Balakot airstrikes are indicative of paradigm shift in India's war against terrorism. Elaborate.

Insurgency in the North-East

Chapter 4

4.1 North-East

India's North-Eastern region includes eight states: Sikkim and the **Seven Sisters** – Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura.



The North-East covers eight per-cent of the country's landmass and has four per cent of the national population. About ninety-nine per cent of the 6,387 km border of this region is international border along Bhutan (699 km), China (1,345 km), Myanmar (1,643 km) and Bangladesh (2,700 km).

Over sixty-eight per cent of the population of the region lives in the state of Assam alone. The terrain of the North-East is predominantly hilly in all the states except Assam. It is predominantly rural with over eighty-four per cent of the population living in the rural areas.

4.2 Historical Background of the North-East

4.2.1 Pre-Independence Era

There are more than hundred tribal groups in the entire North-East. They have a rich cultural heritage with a variety of languages and customs. During the British era, they constituted an overwhelming majority of the population in most of the areas they inhabited. Non-tribals had not penetrated these areas to any significant extent. The British gave a special administrative

status to these areas. The British government did not disturb their socio-political structure and followed a deliberate policy of excluding the outsiders. Outsiders were not allowed to acquire land in the tribal areas.

At the same time, the British government also supported the Christian missionaries to move in and establish schools, hospitals, and churches. The missionaries introduced remarkable changes in the North-Eastern society, and modern progressive ideas prevailed amongst the tribal youth. It also helped the Britishers in keeping the nationalist (pro-independence) influence out of the tribal areas. This policy resulted in their isolation from the rest of India.

There was a virtual absence of any political, cultural, social, geographical, religious, or business contact of the tribals in the North-East with the rest of India. Therefore, India's freedom struggle had very little impact on the tribals.

Thus, they never experienced the feeling of being part of a free country called India. Their main experience of outsiders was that of British officers and Christian missionaries only.

4.2.2 Post-Independence Era

After independence, the Centre focused on people-to-people contact and gave special attention to the tribal policies. The Sixth Schedule of our Constitution is exclusively for this region, and it provides for self-rule, autonomy and decentralisation. Thus, district and regional councils were created.

Initially, there was only one state of Assam and one Union Territory, the North-East Frontier Agency (NEFA), covering the whole of the North-East. Later, the NEFA was named Arunachal Pradesh and granted the status of a separate state in 1987. While the NEFA was developing comfortably and in harmony with the rest of the country, problems developed in other tribal areas that were part of Assam administratively.

In the mid-1950s, Phizo raised the banner of revolt in Nagaland and, later, it spread to Mizoram, Manipur, Tripura and Meghalaya.

In 1960, Assamese was made the sole official language of the state. It led to an immediate and strong reaction in the tribal districts. Various political parties of the hill's tribal population began to feel alienated from Assamese and Bengali residents of the plains. The tribals were afraid of losing their identity and being assimilated by the policy of 'Assamisation' in government jobs and other professions, like doctors, traders, etc.

4.2.3 All Party Hill Leaders Conference

The representatives of hill areas merged into the **All Party Hill Leaders Conference (APHLC) in 1960** and demanded a separate state within the Indian Union. The APHLC fought elections and secured eleven out of fifteen seats in the Assam Legislative Assembly reserved for autonomous hill districts.

There were demonstrations, and a major agitation developed. In the 1962 elections, an overwhelming majority of the Assembly seats from the tribal areas were won by the advocates of a separate state, who decided to boycott the State Assembly.

In 1969, Meghalaya was carved out of Assam as 'a state within a state' which had complete autonomy except for law and order, High Court, Public Service Commission and Governor. Finally, Meghalaya, Manipur and Tripura were granted statehood in 1972.

Meanwhile, secessionist movements developed in Nagaland and Mizoram. Nagaland was granted statehood in 1963 itself, while Mizoram became a state in 1987.

4.2.4 Present Situation of North-East Insurgency

The security situation in some of the North-Eastern states has remained complex for a long time because of several militant outfits and their diverse demands. Assam, Manipur, and Nagaland have continuously been a point of worry.

Lower Assam areas and Karbi Anglong regions are prone to ethnic and communal tension. The mistrust between tribals and non-tribals in Bodo areas has been growing. Garo insurgency in Meghalaya continues, and non-Manipuris are being targeted increasingly in Manipur.

Mizoram and Tripura have shown remarkable success in controlling insurgency and now they are largely peaceful for quite a long time. The government has signed ceasefire and Suspension of Operations (SoO) with most of the Insurgent Groups (IGs) in the region. The government has steadily pursued the policy of dialogue and negotiations with any outfit that agrees to forgo the path of violence and come forward for peace talks within the constitutional framework of India. In general, the security situation in most of the North-Eastern states has shown considerable improvement during the last five years.

Major Insurgent Groups Operating in North-Eastern States and declared as 'Unlawful Associations' and 'Terrorist Organisations' Under Unlawful Activities (Prevention) Act, 1967

S.No.	Assam	Listed/Declared as
(i)	United Liberation Front of Asom (ULFA)	Terrorist organisation and unlawful association
(ii)	National Democratic Front of Bodoland (NDFB)	"
(iii)	Kamtapur Liberation Organisation (KLO)	Terrorist organisation

(*Contd.*)

S.No.	Manipur	Listed/Declared as
(i)	People's Liberation Army (PLA)	Terrorist organisation and unlawful association
(ii)	United National Liberation Front (UNLF)	,,
(iii)	Peoples' Revolutionary Party of Kangleipak (PREPAK)	,,
(iv)	Kangleipak Communist Party (KCP)	,,
(v)	Kanglei Yaol Kanba Lup (KYKL)	,,
(vi)	Manipur Peoples' Liberation Front (MPLF)	,,
(vii)	Revolutionary Peoples' Front (RPF)	,,
(viii)	Coordination Committee Cor-com (conglomerate of six valley base UG outfits)	,,
S.No.	**Meghalaya**	**Listed/Declared as**
(i)	Hynniewtrep National Liberation Council (HNLC)	Unlawful association
(ii)	Garo National Liberation Army (GNLA)	Terrorist organisation
S.No.	**Tripura**	**Listed/Declared as**
(i)	All Tripura Tiger Force (ATTF)	Terrorist organisation and unlawful association
(ii)	National Liberation Front of Tripura (NLFT)	,,
S.No.	**Nagaland**	**Listed/Declared as**
(i)	The National Socialist Council of Nagaland (Khaplang) [NSCN/K]	Terrorist organisation and unlawful association
(ii)	National Socialist Council of Nagaland (Isak Muivah) – [NSCN(I/M)]	On ceasefire with the government
(iii)	National Socialist Council of Nagaland (Kitovi-Neopaokonyak) [NSCN(KN)]	,,
(iv)	National Socialist Council of Nagaland (Reformation) [NSCN(R)]	,,

4.2.4.1 Present Status

The security situation in the North-Eastern states, which remained complex for quite some time because of diverse demands of ethnic groups and various militant outfits, **improved substantially** over last nine years as it is evident from table below.

Security Situation in the North-East since 2012

Years	Incidents	Extremists killed	Extremists arrested	SFs killed	Civilians killed	Extremists surrendered	Arms surrendered	Arms recovered	Persons Kidnapped
2012	1,025	222	2,145	14	97	1,195	612	1,244	329
2013	732	138	1,712	18	107	640	416	1,180	307
2014	824	181	1,934	20	212	965	151	1,104	369
2015	574	149	1,900	46	46	143	69	828	267
2016	484	87	1,202	17	48	267	93	605	168
2017	308	57	995	12	37	130	27	405	102
2018	252	34	804	14	23	161	58	420	117
2019	223	12	936	04	21	158	67	312	108
2020	162	21	646	05	02	2,644	232	305	68

4.3 State-wise Status

4.3.1 Nagaland

The first and the most significant insurgency started in Nagaland under the leadership of **Phizo** in the early 1950s.

The Nagas are the inhabitants of the Naga Hills in the eastern Himalayas, along the Burma border. The Nagas consists of many tribes speaking different languages. After taking control over Assam in 1826, Britain steadily expanded its domain over the Naga Hills by 1892.

During the British era, the Nagas were cut off from social and political developments in the rest of India. The British administered them with a soft

iron as compared to their approach in the rest of the country. Outsiders were kept out. Their tribal culture and practices were not disturbed by the British administration. However, Christian missionaries successfully converted several tribes to Christianity. Due to continuous presence of Christian missionaries, Naga society is relatively more educated and aware than the other North-Eastern states.

In **April 1945**, the **Naga Hills District Tribal Council** was established as a forum of the various Naga groups in the district. In **February 1946**, it was reorganised as a political organisation called the **Naga National Council (NNC)**. The NNC's objective was to work out the terms of relationship with the Government of India after the British withdrawal. The NNC was against the grouping of Assam in Bengal and wanted the Naga Hills District to be included in an autonomous Assam in independent India. It further emphasised local autonomy for the Naga Hills District, and a separate electorate for the Naga tribes.

4.3.1.1 Nine Point Agreement

After several rounds of negotiations, the Governor of Assam decided on a Nine Point Agreement with the Naga leaders on **26 June 1947**. It was decided that the Nagas would be granted judicial, executive, and legislative powers, as well as autonomy in land-related matters. There was a **ten-year guarantee** of these provisions at the end of which the Nagas could choose between extending the agreement or a new agreement. The Naga leaders were also promised unification of Naga territories from nearby districts into the Naga Hills District. However, the Constituent Assembly refused to ratify this accord. The Naga leaders envisaged a sovereign state with India as a **'guardian power' for ten years**, while the Indian Constituent Assembly concluded that the Nine Point Agreement guaranteed only 'district autonomy within the Indian Constitution'.

4.3.1.2 Beginning of the Secessionist Movement

After independence, the Centre started the integration of Naga areas with the state of Assam, and India as a whole. The hardliners led by Phizo opposed this integration and rebelled under the banner of the NNC. The Nagas demanded a separate sovereign state. They were also encouraged by some British officials and missionaries. In 1955, the separatists declared the formation of an independent government. They launched an armed rebellion. The Centre sent the army to Nagaland in early 1956 to restore peace and order. By following a policy of suppression and non-negotiation, the government firmly opposed the secessionist demand for the independence of Naga areas.

On the other hand, the government also realised the need for reconciliation and winning over of the Naga people. As total physical suppression was

neither possible nor desirable, the government followed a 'friendly approach' by encouraging the Nagas to integrate with the rest of the country in mind and spirit. The central government also made it clear that Nagas' right to maintain their autonomy in cultural and other matters would be respected by India.

Meanwhile, the Centre refused to negotiate with Phizo or any other separatists until they did not give up their demand for independence or armed rebellion. Simultaneously, it started negotiations with the more moderate, non-violent, and non-secessionist Naga leaders headed by **Dr Imkongliba Ao**.

The armed rebellion was contained by the middle of 1957. Then the moderate Naga leaders under the leadership of Dr Imkongliba Ao negotiated with the Indian government for the creation of the state of Nagaland within the Indian Union.

The Government of India accepted their demand through a prolonged negotiation, and the state of Nagaland came into existence in 1963 as the sixteenth state of the Indian Union. This step not only strengthened the national integrity and security but also restored people's faith in democratic values enshrined in our constitution. Non-violent means were seen with greater hope in the rest of India. Rebels lost their popular mass support. Though insurgency had been brought under control, sporadic guerrilla war was launched by Naga rebels in 1964, and it continues till date without any progress towards a political settlement. Instead, the present situation may be better understood as a very complex set of relations between a number of parties who have differing objectives, strategies and capabilities. As a result, a precarious stability has been maintained over the last fifty years while ceasefire violations keep occurring routinely and almost continuously.

4.3.1.3 Major Terrorist Groups Operating in Nagaland

The **National Socialist Council of Nagaland (NSCN):** The NSCN is a **Naga nationalist group** operating in the North-East. The main aim of the organisation is to establish a sovereign state, **Nagalim**, unifying all the areas inhabited by the Naga people in North-East India and Burma.

The NSCN was formed in **January 1980, by Isak Chishi Swu, Thuingaleng Muivah and S. S. Khaplang** opposing the Shillong Accord signed by the then NNC with the Government of India. Later, mis-understanding surfaced within the outfit leaders over the issue of commencing negotiation dialogue with the Indian government and the NSCN split in 1980 into two factions: the NSCN-K led by S. S. Khaplang, and the NSCN-IM, led by Isak and Muivah. The split triggered a spate of violence and factional clash between the factions.

The objective of both the factions of the NSCN was to establish a sovereign state by unifying all the Naga-inhabited areas in the North-East and northern Burma, which the organisation and the people of the area proposed as Nagalim. Unification of all the Naga tribes under one administration and 'liberating' Nagalim from India is listed as one of the main objectives of the organisation.

4.3.1.4 Current Developments

- NSCN-Isiac Muviah (NSCN–IM) signed a ceasefire agreement with the Government of India in 2001, but insurgency continues by other groups
- Frequent ceasefire violations
- Presence of underground groups (UGs) that deal in extortion, arms, drugs smuggling, etc.
- Clashes among different tribal groups, and factions
- Tensions mainly between the NSCN/K and NSCN/KK
- Public protest against underground activities of the rebels
- Parallel government

India successfully conducted cross-border surgical strikes against the NSCN (Khaplang) which was operating out of Myanmar in 2015.

4.3.1.5 Naga Peace Accord, 2015

The Naga Peace Accord, a framework agreement as it has been termed, was **signed between the National Socialist Council of Nagalim-Isak-Muivah (NSCN-IM) and the Government of India on 3 August 2015** wherein **R. N. Ravi** was the **chief negotiator and interlocutor** on behalf of the Government of India. It shows the flexibility and realism of the NSCN (IM) in terms of the willingness to alter goals, from complete sovereignty and Greater Nagalim to acceptance of the constitutional framework albeit with a provision for the grant of greater autonomy to Naga-inhabited areas outside of Nagaland through the establishment of autonomous district councils. This indeed had been a sticking point in negotiations as Arunachal Pradesh, Assam and Manipur had categorically stated their opposition to any territorial division. The final agreement is yet to be signed as talks are going on with six Naga National Political Groups (NNPGs). Even various ethnic groups of Manipur are not easily coming around to an agreeable solution.

Naga Ceasefire Agreements Extended:

- Recently, Government extended the ceasefire agreements between the Central government and three Naga groups by a year which was signed on 19th April 2022.
- It will give boost to the Naga peace process and in line with Prime Minister's vision of 'insurgency free, prosperous North-East'.

- Naga groups include National Socialist Council of Nagaland-NK (NSCN-NK), National Socialist Council of Nagaland-Reformation (NSCN-R) and National Socialist Council of Nagaland-K-Khango (NSCN-K-Khango).
- In September 2021, the government has entered into a one-year ceasefire agreement with the National Socialist Council of Nagaland (K) Niki Group.

4.3.2 Manipur

The people of Manipur include the Meitei ethnic group, the Kuki tribe, and the Naga tribe. The Meitei forms about sixty per cent of the total population. The Meitei are Hindu tribes following Vaishnava tradition. Some of the Meitei are Muslims and Christians too. The Meiteis live in the plains, while the Nagas and Kukis are in the hill districts.

A separatist insurgency began in 1964, and **Manipur was made a separate state in 1972**. A more violent phase did not occur until 1978 when the separatists demanded secession from the Union of India on the ground of lack of development, plundering of local resources and a general discontent. Alleged human rights violations by the Indian security forces have only fuelled the insurgency.

There are currently thirty-four groups, including non-violent ones that demand independence from India. In 1999, some of these groups coalesced into an alliance organisation called the Manipur People's Liberation Front. Of these, the three most prominent ones are the **United National Liberation Front (UNLF), People's Revolutionary Party of Kangleipak (PREPAK) and People's Liberation Army (PLA) of Manipur**. The UNLF is estimated to have 2,500 active militants, while the PREPAK has 1,500 and PLA has 3,000. As of today, Manipur is the worst-case scenario in the North-East as far as militancy is concerned. Apart from the fact that there are more militant groups in the state than anywhere else, the rivalry between these outfits often leads to greater violence.

The Kuki IGs want a separate state for the Kukis to be carved out from the present state of Manipur. The Kuki IGs are under two umbrella organisations, **Kuki National Organisation (KNO)** and **United Peoples' Forum**.

The situation is further complicated because the IGs are not united for the same cause. The Nagas wish to annex part of Manipur and merge with a greater Nagaland or Nagalim, which is in conflict with Meitei insurgents' demands for the integrity of their vision of an independent state. There were many tensions between different tribes, and the region has witnessed numerous clashes between the Nagas and Kukis, and Meiteis and Muslims.

IGs are demanding an alternative arrangement, reintroduction of inner line permit (ILP) to remove non-local population.

There is a reported nexus between maoist and Manipur insurgents; especially PLA blockade of the NH-37 highway is a usual feature due to a continuous fight with Nagaland. The PLA has assisted maoists by imparting training to cadres and supplying weapons and communication equipment.

In February 2022, Centre announced that it is ready to hold dialogue with them to bring lasting peace to the region.

4.3.3 Mizoram

Among the ethnic and secessionist conflicts, the resolution of the Mizoram issue was a notable success. Armed insurrection had persisted in Mizoram for more than two decades. The movement by the **Mizo National Front (MNF)** had racial and religious overtones, and its declared aim was secession of Mizoram from the Indian Union. There was an armed uprising in 1966, and violent conflict continued well into the 1980s. The **Mizoram Accord of June 1986** succeeded in bringing the violent conflict of the past decades to a satisfactory conclusion. **Three factors may be said to have contributed to this historic conflict resolution**: firstly, former Prime Minister Rajiv Gandhi's sincere and positive gestures were greatly appreciated by the people of Mizoram and its leaders, which laid the initial foundation for negotiations. Secondly, the maturity of the two Mizo political personalities of the time, namely, the undisputed insurgent leader Pu Laldenga and the then Chief Minister Pu lal Thanhawala's unilateral offer of stepping down in favour of Laldenga as the chief minister and finally, the moderating influence and pressure of the Mizo civil society, especially the women who had been the most aggrieved and affected during the periods of violence.

In June 1986, the Centre signed a peace agreement with Laldenga, the leader of the MNF. By its terms, the MNF rebels laid down their arms and were granted amnesty against prosecution. The government agreed to grant full statehood to Mizoram, and Laldenga himself assumed office as chief minister, taking over from the Congress incumbent.

The model here was the Kashmir Agreement of 1975, when Sheikh Abdullah had returned to power in a similar fashion.

The agreement raised the prospect of the return of peace to the state of Mizoram. The leaders of the MNF made a successful transition, once insurgents in the jungle, they are now politicians in the Secretariat put there by the ballot box. Peace brought its own dividend in the form of water pipelines, roads and, above all, schools. By 1999, Mizoram had overtaken Kerala as India's most literate state. The integration with the mainland is proceeding apace; Mizos are learning the official language, Hindi, and watching and playing the popular game, cricket. Since they also speak fluent English (the state's own official language), young Mizos, men as well as women, have found profitable employment in the growing service sector, especially in hotels and airlines. Mizoram's Chief Minister, Zoramthanga, spoke of making his territory the 'Switzerland of the East'.

In this vision, tourists would come from Europe and the Indian mainland while the economy would be further boosted by trade with neighbouring Burma and Bangladesh. The Mizos would supply these countries with fruits and vegetables and buy fish and chicken in exchange. Zoramthanga is also canvassing for a larger role in bringing about a settlement between the government and the Naga and Assamese rebels. It is easy to forget that this visionary had once been a radical separatist, seeking independence from India when serving as the defence minister and vice-president of the Mizo Government-in-exile.

4.3.4 Meghalaya

Meghalaya is perhaps the least affected by insurgency in the North-East. Problems in Meghalaya arise from the divide among various tribes as well as the divide between tribal and non-tribal settlers, identity issues and growing corruption, besides the sharp changes in demography due to Bangladeshi infiltrators. There is also a fear of being reduced to minority by the native tribal population.

The **main extremist groups operating in Meghalaya** are:

The Garo National Liberation Army (GNLA): The GNLA aims to establish a separate Garoland for the Garo people. It was **formed in 2009** and consists of **seventy members**, most of whom are ex-members of the Achik National Volunteer Council (ANVC), Liberation of Achik Elite Force (LAEF) and National Democratic Front of Bodoland (NDFB). The GNLA has been involved in extortion, attacks, and bombings. Meghalaya has witnessed an upsurge in violence due to the activities of the GNLA and remains the main active group in Meghalaya.

The Achik National Volunteer Council (ANVC): The ANVC was **formed in 1995** with the intention of forming an Achik Land in the Garo Hills. As of now, a Suspension of Operations Agreement between the Government and the ANVC has been in force since 23 July 2004.

The Hynniewtrep National Liberation Council (HNLC): The HNLC is a **militant organisation** operating in Meghalaya. It was **formed in 1992**. It claims to be a representative of the Khasi-Jaintia tribal people, and aims is to free Meghalaya from the alleged domination of the Garos and the non-tribal outsiders (the Dkhars). It was **banned by the centre in 2000**.

Over the years, the HNLC built ties with the other secessionist organisations operating in the North-East India, including the NSCN-IM of Nagaland, the NDFB of Assam and the National Liberation Front of Tripura (NLFT) and United Liberation Front of Asom (ULFA). The NSCN provided the HNLC with moral, physical and financial support in its initial days. The HNLC runs several businesses in Bangladesh.

The militant outfit the Garo Hills Liberation Army, formed by deserting police personnel, has been launching guerrilla attacks against the police

and army personnel. Kidnapping and ransoms have become a norm in the Western districts of the state. Extortion is being carried out by militants from the wealthy members of the state particularly, the coal barons. Also, ethnic tension is simmering between the illegal immigrants from Bangladesh and the local indigenous tribal population. It is worth noting that these tensions are mainly due to ethnic issues and not related to religion. The clashes are between the locals and the illegal immigrants. However, the criminal activities are a major concern. Trafficking of drugs like ganja, cocaine, opium, etc. is rampant as is smuggling of weapons, narcotics, black marketeering, etc. The state lies in a major smuggling route between Bangladesh and India.

4.3.5 Tripura

Tripura witnessed a surge in terrorist activities in the 1990s. The area under the control of the **Tripura Tribal Areas Autonomous District Council** was increased after a tripartite agreement between New Delhi, the state government and the Council. The government has since brought the movement under control, and the government of Tripura has so far succeeded in limiting the extremist activities. There has been a steady decline in violence since 2003.

The evolution of insurgency in Tripura can be traced to the formation of the **Tripura Upajati Juba Samiti (TUJS) in 1971**, followed by the **Tripura National Volunteers (TNV) in 1981**. The **NLFT was formed on 2 March 1989**, and its armed wing, the **National Holy Army and All Tripura Tiger Force (ATTF) were formed in July 1990**. The NLFT seeks to secede from India and establish an independent Tripura State. The NLFT is currently proscribed as a terrorist organisation in India. The two outfits came up with secessionist agenda, disputed the merger of the kingdom of Tripura with the Indian Union and demanded sovereignty for Tripura, along with deportation of illegal migrants, the implementation of the Tripura merger agreement and the restoration of land to the tribal people under the **Tripura Land Reform Act, 1960**.

Between 1990 and 1995, the insurgency remained low-key. But it grew in extent and magnitude between 1996 and 2004 and then started waning. The success of the insurgency during the initial stages was due to the advantages of the rough, rugged terrain and the porous and extensive trans-border corridors with Bangladesh. Safe havens in Bangladesh, logistic support from the then supportive Bangladesh establishment and the external intelligence agencies based there, and networking with potential insurgent outfits aided it. A build-up of weapons, explosives and wireless communication systems, and extortion and 'levies' went into the making of the volatile insurgency.

This high-voltage insurgency and an orgy of violence disrupted the civic life and communications and led to the closure of many educational and financial institutions, threatening the authority of the state. The State Government took on the problems in a strategic and resolute manner under the visionary leadership of Chief Minister Manik Sarkar. It formulated a multi-

dimensional and fine-tuned strategy to respond creatively to the situation. The control mechanism was subsumed in counter-insurgency operations intent on swift area domination and ascendancy, as well as psychological operations and confidence building measures. An accelerated development thrust, management of the media, civic action programmes of the security forces and the political process were additional factors.

Tripura scripted a story of triumph over insurgency and conflict resolution and demonstrated that insurgency was not an insurmountable phenomenon. What was needed to tackle it was a well-crafted, multi-dimensional strategy, resolute will, right vision and direction, honest and credible leadership, creative responses to the challenge and the growth and socio-economic infrastructure dispensation to all the sections of society. Also, the well-calibrated and humane combat operations combined with psychological approach to the issues ensured that the local population was not alienated.

4.3.6 Arunachal Pradesh

The people of the three Eastern districts of Arunachal Pradesh, namely Tirap, Changlang and Longding, live in perpetual fear due to the presence of cadres of the two NSCN factions in the area, who resort to kidnapping, extortion and factional feuds. These three districts are part of NSCN-IM's projected State of Nagalim (Greater Nagaland).

Apart from these two Naga outfits, the ULFA-I has a strong presence in the region. The ULFA-I cadres use the Lohit, Changlang and Tirap districts for infiltration into Myanmar, where the base camps of the outfit are located. The outfit uses these areas extensively for temporary transit camps while on the move as well as to escape counter insurgency operations in Assam.

Meanwhile, another emerging concern is the presence of CPI-Maoist cadres in the state. Movements of CPI-Maoist cadres have been reported from the Lohit and Lower Dibang valley districts of Arunachal Pradesh.

The presence of the **53,000 strong Chakma and Hajong refugees in Arunachal Pradesh** as well as influx of other foreigners have also raised concerns among locals from time to time. According to the **All Arunachal Pradesh Student's Union (AAPSU)** memorandum to former President Pranab Mukherjee, 'The illegal settlement of Chakma and Hajong refugees has resulted in marginalisation of indigenous tribes in the Eastern-most part of Arunachal, while in the western part of the state, the Tibetans, Bhutanese and Nepalese are exerting their dominance over indigenous tribes and in the central part of the state, there is a floating population of Bangladeshis which has created tension among various local tribes.'

Traditionally, the south-western districts of Tirap and Changlang, in the proximity of Nagaland, have been a happy hunting ground for both factions of the NSCN. While the Khaplang faction (NSCN-K) made its first inroads into the virgin territory in the early 1990s, the NSCN-IM faction soon made

its move and carved out separate areas of influence in the district. In recent times, both the districts have witnessed occasional factional clashes between the outfits. Both outfits are known to run wide extortion network in these districts.

Arunachal Pradesh has also been used as a transit route by the ULFA. While the movement of the ULFA cadres between the eastern-most districts of Assam and the outfit's facilities in the Sagaing division in Myanmar through Arunachal Pradesh can be traced back to the late 1980s, the state's strategic importance for the ULFA has grown manifold after the outfit's December 2003 ouster from Bhutan, following a military crackdown. The outfit's dependence on its **28th battalion** headquartered in Myanmar, for its hit-and-run activities in Assam, has become almost irreversible. There has, however, been a setback for the ULFA after two of the main strike units of the group's 28th battalion entered into a ceasefire agreement with the government in June 2008, diminishing the outfit's fire power to a great extent. ULFA cadres traversing the Assam, Arunachal Pradesh and Myanmar route had set up transit camps and safe houses in the Manabhum Reserve Forest spread over 1,500 sq km in the Lohit district.

4.3.7 Assam

After Nagaland, Assam is the most volatile state in the region. Beginning in 1979, the indigenous people of Assam demanded that the illegal immigrants who had emigrated from Bangladesh to Assam be detected and deported. The movement led by All Assam Students' Union began non-violently with satyagraha, boycotts, picketing and courting arrests.

Those protesting frequently came under police action. The election conducted in 1983 was opposed by the movement's leaders. The election led to widespread violence. The movement finally ended after its leaders signed an agreement (called the **Assam Accord**) with the central government on **15 August 1985**.

Under the provisions of this accord, anyone who entered the state illegally between January 1966 and March 1971 was allowed to remain but was disenfranchised for ten years, while those who entered after 1971 faced expulsion. A November 1985 amendment to the Indian citizenship law allows non-citizens who entered Assam between 1961 and 1971 to have all the rights of citizenship except the right to vote for a period of ten years.

There are several organisations that advocate the independence of Assam. The most prominent among these is the **ULFA. Formed in 1979**, the ULFA has two main goals: independence of Assam and establishment of a socialist government.

The ULFA has carried out several terrorist attacks in the region targeting Indian military and non-combatants. The group assassinates political opponents, attacks police and other security forces, blasts railroad tracks,

and attacks other infrastructure facilities. The ULFA is believed to have strong links with the NSCN and Naxalites.

It is also believed that they carry out most of their operations from Bhutan. Because of the ULFA's increased visibility, the Indian government outlawed the group in 1986 and declared Assam a troubled area. Under pressure from New Delhi, Bhutan carried a massive operation to drive out the ULFA militants from its territory.

Backed by the Indian Army, Thimphu was successful in killing more than a thousand insurgents and extraditing many more to India while sustaining very little casualties. The Indian military undertook several successful operations aimed at countering future ULFA terrorist attacks, but the organisation continues to be active in the region. In 2004, the ULFA targeted a public school in Assam, killing nineteen children and five adults.

On 14 March 2011, the militants of the Ranjan Daimary led faction ambushed the BSF patrolling party on the way from Bangladoba in the Chirang district of Assam to Ultapani in Kokrajhar, killing eight jawans. Recently, Paresh Barua, the leader of the ULFA (anti-talks), has been arrested and sentenced to death in Bangladesh.

Of late, maoists have been engaged in recruitment, training, and extortion activities in upper Assam (Tinsukia and Dibrugarh) and Arunachal Pradesh.

The Central Government also gave special administrative autonomy to the Bodos in the state. However, the Bodos demanded a separate Bodoland, which led to a clash between the Bengalis, the Bodos and the Indian military, resulting in hundreds of deaths.

4.3.7.1 Kamtapur Liberation Organisation

The Kamtapur Liberation Organisation is a **militant organisation** based in North-East India with an objective to carve out a separate Kamtapur nation from India. The proposed state is to comprise six districts in West Bengal and four contiguous districts of Assam centring Cooch Bihar (present-day districts of Bengal). There has been a series of movements since the early twentieth century for the cultural and political recognition of Kamtapuri identity. However, very little attempt had been made to preserve and document the art, culture, history and literature of Kamtapur and the Kamtapuris.

4.3.7.2 Bodoland Issue and the National Democratic Front of Bodoland (NDFB)

The Bodos, the largest plains tribe of Assam, started an armed struggle for a separate state in the mid-1980s. This armed struggle led to an ethnic cleansing of the non- Bodos along the North bank of the Brahmaputra. The **Bodoland Autonomous Council (BAC) Accord** was signed in **1993,** and the Bodoland movement became more violent during the later part of the 1990s. In **February 2003, the Bodoland Territorial Council (BTC) Accord was signed** to end the one-and-a-half decade-long Bodo movement. This was opposed by non-Bodos including Bengali-speaking Muslims who have

emigrated from Bangladesh. Non-Bodos allege that they have often been subjected to assaults, intimidations, killings, abductions and extortions by the Bodo militants and elements.

The heart of the Bodo problem is the ancient rivalry between the ancient Bodo tribes settled for ages on the Northern banks of Eastern Brahmaputra and the relatively recent arrival of Bengali-speaking immigrants. The Bodos speak their own language. There have been cycles of violence between the Bodos and the Bengalis came from Bangladesh and took over Bodo lands because of their agricultural skills.

But the Bodos' demand for statehood had only distanced the non-Bodos from them. The creation of the BTC in the face of a series of protests by non-Bodos is a pointer. The Bodos, who have already been outnumbered in the BTAD, view the alarming rise in Muslim population – Bengali-speaking Muslims to be precise – as a potential threat. The Muslims are scattered partly on forest land and largely on the sandbars.

One of the negative fallouts of the present situation in the **Bodo Territorial Areas District (BTAD)** areas has been the idea of an exclusive 'ethnic territorial homeland'. The BTC, as an ethnically oriented territorial council, has failed to provide security to people other than the Bodos.

4.3.7.3 Bodoland Territorial Council (BTC)

The 2008 violence against the 'outsiders' occurred in the aftermath of the 2003 Bodo Accord which committed to safeguard the Bodo language, land, socio-cultural rights and ethnic identity. The Accord clearly stated that an autonomous self-governing body will be constituted, known as the BTC, within Assam in order to 'fulfill the economic, educational, and linguistic aspirations and the preservation of land-rights socio-cultural and ethnic identity of the Bodos'. Despite these provisions, the Bodos continue to feel insecure with regard to their land, ethnic identity and language vis-à-vis the minority communities.

The area under the BTC jurisdiction is called the **Bodoland Territorial Area District (BTAD)** . The BTC constitutes seventy per cent of non-Bodo people who are against the creation of Bodoland. They are demanding cancelling villages having less than fifty per cent Bodo people from the BTC.

The BTAD consists of four new contiguous districts – Kokrajhar, Baksa, Udalguri and Chirang, covering an area of 27,100 km² (thirty-five per cent of Assam).

The main provisions of the **Memorandum of Settlement (MoS)** relate 'to creation of the BTC, an autonomous self-governing body within the State of Assam and under the provisions of the Sixth Schedule of the Constitution of India to fulfil economic, educational and linguistic aspirations, socio-cultural and ethnic identity of the Bodos, and to speed up the infrastructure development in BTC area'. The BTC comprises 3,082 villages in four districts. The BTC has forty elected representatives, and the Assam Government

would nominate six more. Of the elected representatives, 30 seats are reserved for tribals, five for non-tribals and the remaining five are open for general contest.

4.3.7.4 National Democratic Front of Bodoland (NDFB)

The NDFB is an **armed separatist outfit** which seeks to obtain a sovereign Bodoland for the Bodo people in Assam, India. It is designated as a terrorist organisation by the Centre. The NDFB was **formed in 1998**. It **claims to be a representative of the Bodo people**, who form around ten per cent of Assam's population. The main grievances of the group are the under-development in the region and the influx of immigrants. It aims to address these issues by seceding from India and establishing a sovereign Bodoland.

The group carried out several attacks on the civilians in Assam, targeting non-Bodo civilians as well as the security forces. In May 2005, it signed a ceasefire with the Centre, but some of its factions continue to indulge in militancy. In May 2014, thirty-two people were killed, many others injured, and thousands were rendered homeless in two districts of Assam after recent attacks by militants belonging to the anti-talks IK Songbijit faction of NDFB-S. The Assam Government handed over the probe to the NIA. It is allegedly the Bodos' fear of losing political clout that led to the latest wave of attacks on immigrants in the BTAD in Assam.

4.3.7.5 Karbi Anglong Issue

The **Karbi Anglong district is the largest amongst the 27 administrative districts of Assam**. Diphu town is the administrative headquarters of the district. Karbi Anglong is one of the country's 250 most backward districts (out of a total of 640). It is one of the eleven districts in Assam currently receiving funds from the **Backward Regions Grant Fund Programme (BRGF)**. Several indigenous people reside in this district. The Karbis are the most prominent amongst them. Other indigenous people residing in this district include the Dimasas, the Rengmas, the Kukis, the Garos, the Tiwas, the Khasis, the Hmars, the Mizos and the Chakmas.

There were violent clashes between the ethnic insurgent **Karbi People's Liberation Tigers (KPLT)** and the **Rengma Naga Hills Protection Force (RNHPF)** in the Karbi Anglong district of Assam in December 2013 and January 2014. Over 3,000 people from the Karbi and Rengma Naga tribes were forced to leave their homes.

The KPLT is a breakaway faction of the ethnic insurgent **Karbi Longri N.C. Hills Liberation Front (KLNLF)**. The KLNLF is demanding a separate state comprising two hill districts – Kabri Anglong and Dima Hasao. The KLNLF is now engaged in talks with the Central and the State Government. When the KLNLF signed the Suspension of Operation agreement with the Central and the Assam Government, about twenty cadres of the outfit parted ways and formed the KPLT in 2010. The KPLT has been demanding the creation of self-ruled homeland for the Karbi people.

The RNHPF was formed in 2012 for protection of the Rengma Nagas from KPLT attacks. The outfit has been demanding creation of a regional council for the Rengma Nagas of Karbi Anglong.

4.3.7.6 Issue of National Register of Citizens (NRC)

Assam has had the issue of Bangladeshi immigrants for a long time. The Assam student agitation of the 1980s was mainly centred on this issue of foreigners. Assam has seen waves of migration, first as a colonial province and then as a border state in Independent India.

The NRC is an exercise first carried out in 1951 to enumerate the citizens, their houses and holdings. It is an official record of all the legal citizens of a state in respect of each village showing the houses or holdings in a serial order and indicating against each house or holding the number and names of persons staying therein. Over the years, there has been a demand from the indigenous Assamese groups to update the NRC.

4.3.7.7 Assam Accord 1985

Post the Assam agitation against foreigners and the subsequent Assam Accord signed in 1985 between the Centre and the All Assam Students' Union, the Citizenship Act 1955 was amended.

According to the Accord, all foreigners who had entered Assam between 1951 and 1961 would be given full citizenship, including the right to vote. Those who had done so after 1971 were to be deported. The immigrants who came between 1961 and 1971 were to be denied voting rights for ten years but would be given all other rights of citizenship. That is how the base year of 1971 considered for the NRC came about.

4.3.7.8 Current Update

The NRC of Assam is being updated to weed out illegal migration from Bangladesh and other neighbouring countries. Recently, Assam released the final draft of the National Register of citizens which included 1.9 crore names out of a total applicant size of 3.29 crores. The final draft of the NRC list was published on 30 July in which names of 2.89 crore of the 3.29 crore people were included. The names of about forty lakh people did not figure in the list.

4.3.7.9 Impact

The question of what the status of these 40,00,000 individuals will be who would have lost Indian citizenship with no recourse has remained unanswered. The immediate consequence is that they will lose their right to vote. The biggest fallout of the NRC updating could be India's relations with Bangladesh which have always been in turmoil.

This would be hazardous for the internal security of the country given the political and social unrest it would bring in Assam, and a large section of people out of the NRC can become a vulnerable target for the IGs in Assam.

4.4 Factors Responsible for Insurgency in the North-East

The **factors responsible for insurgency in the North-East** are given below:

- Feeling of alienation and deprivation among the tribal population
- Similar ethnicity across the border on Myanmar side
- Porosity of the border with Myanmar due to difficult terrain
- Change in demographic pattern due to infiltration from across the border
- Disconnect with the other parts of India and fellow Indians
- Widespread corruption among the ruling elite
- Lack of visionary leadership among the tribal communities
- Lack of development and basic amenities
- Easy availability of arms and ammunition
- Political support from various factions
- Instability in Myanmar
- Proximity to the Golden Triangle ensures funding for separatist/ secessionist organisations via support to illegal drug smuggling

Many of our neighbouring countries are being used by IGs for shelter and training. Naga groups and Assam-based insurgency groups operate from Myanmar, militant groups of Meghalaya and Tripura from Bangladesh. The arms are also procured from across China. Their main source of funding is extortion and arms and drugs smuggling.

4.5 Government's Response to the North-East Extremism

A composite strategy is being followed by the Centre in the North-East. It includes holding peace talks with those who abjure violence and dealing strictly with violent activities. The Centre has signed a **ceasefire and SoO** with most of the IGs (numbering 17–18) in the region. The Centre has steadily pursued the policy of talks/negotiations with any outfit, which agrees to forego the path of violence and come forward for peace talks within the constitutional framework of India.

The **basic guiding principles of the Indian government** have been:

- Special schemes for development for the North-East
- Special packages for infrastructural development of the North-East
- Proportionate use of force
- Dialogue and negotiations
- Structural changes to give political autonomy
- Decentralisation and protection of tribal rights
- Improving road and rail connectivity in entire region
- Look East Policy viz-à-viz the North-East

- Business summits to attract investment in the North-East
- Exhibitions and seminars

Some of the **major developmental initiatives taken for the North-East region** are

- In October 1996, the then Prime Minister announced 'New Initiatives for North-Eastern Region' and stipulated that at least ten per cent of the budget(s) of the Central Ministries/Department will be earmarked for the development of North-Eastern States.
- The Centre had decided to create the Non-Lapsable Central Pool of Resources for the North-Eastern States and Sikkim from the year 1998–99 onwards.
- The Department of Development of North-Eastern Region (DoNER) was created in 2001 and was accorded the status of a full-fledged ministry on May 2004. The ministry is mainly concerned with the creation of infrastructure for economic development of India's North-Eastern region.
- Special category status since 11th Plan: In order to mobilise financial resources, a policy decision was taken to earmark at least ten per cent of the Plan Budget(s) of the Central Ministries/Departments for development of the North-Eastern States. And earmark at least ten per cent of the gross budgetary support (GBS) for the North-Eastern States.
- In 1971, the North-Eastern Council was set up by an act of the Parliament. It was restructured in 2002 as the regional planning body for the North-Eastern region.
- Social and Infrastructure Development Fund (SIDF) – Finance Minister's Package for the NER, 2008–09.
- Monitoring of mandatory expenditure of ten per cent of GBS for the North-Eastern region by the fifty-one non-exempted Central Ministries/ Departments.
- Plan Scheme of 'Advocacy & Publicity' and Plan Scheme of 'Capacity Building & Technical Assistance (CB&TA)'
- Asian Development Bank assisted the North-East State Roads Investment Programme and the World Bank assisted the North-East Rural Livelihood Project (NERLP)
- North-East Industrial Investment and Promotion Policy, 2007
- Border Area Development Project (BADP)
- Hill Area Development Programme in the North-East

4.6 Act East Policy

India's Act East Policy (AEP) **focuses on connecting projects, cooperation in space, Science and Technology and people-to-people exchanges**

which will act as a spring board for regional integration and prosperity via this policy by promoting economic cooperation, cultural ties and developing strategic relationship with countries in the Asia-Pacific region.

The North-East is not just a **gateway to South-East Asia** but is an **extended corridor** for growth, progress and prosperity of India. The North-East, particularly Manipur, is a physical and strategic partner of India's AEP while enhancing connectivity by land, air and sea to transform corridors of connectivity into corridors of economic cooperation.

Some of the major projects include the Kaladan Multi-modal Transit Transport Project, India–Myanmar–Thailand Trilateral Highway Project, Rhi-Tiddim Road Projects, Border Haats, etc.

On the civilisation front, Buddhist and Hindu links could be energised to develop new contacts and connectivity between the people.

On strategic issues, India has increasing convergence on security interest with key partners both in bilateral and multilateral format.

4.7 North-East Insurgents and Their Foreign Links

The biggest foreign link of the North-East insurgents is believed to be with Myanmar. India has a long international border shared by four states, Arunachal Pradesh, Nagaland, Manipur and Mizoram, with Myanmar. Difficult terrain and ethnic linkages of population on both sides of the border make it easy for the Indian IGs/ UGs in the movement across the border as well as establishing camps, including training of fresh recruits, weapon procurement and their transfer to India.

Usually, arms are procured from the arms market in Thailand and finally brought to these four states.

The diplomatic and political initiative with the Myanmar Government has yielded some results, and the Myanmar Government has signed a ceasefire agreement with the NSCN(K) and given a deadline to METI insurgents of Manipur. But, because of their ethnic proximity and political compulsions, these groups have relocated themselves closer to the border which makes it easy for them to carry out attacks on Indian security forces.

With the cooperation of the Bangladesh Government, many IIGs (Indian IGs) have been pushed out of Bangladesh. Therefore, these groups have now concentrated more in these four states.

4.7.1 Other North-Eastern Neighbours

Apart from Myanmar, Bangladesh has been used by the North-East IGs as a hideout, especially in the Chittagong Hills. However, after the takeover of the Sheikh Hasina Government, it is on the decline and many members of such groups have been arrested and handed over to India.

Nepal is being used as a hideout and transit to other countries adjoining China. The Kathmandu Airport is the transit point. Bhutan is also used by many of the Assam-based UGs like the ULFA and NDFB. There are inputs which suggest moral support of the Chinese to the North-East IGs.

4.7.2 Free Movement Regime (FMR)

India shares a 1,643 km long border with Myanmar that passes through four states of Arunachal Pradesh, Nagaland, Manipur and Mizoram. The formation of Myanmar as a separate state in 1935 and decolonisation of the sub-continent in 1947 divided ethnic communities living along the India–Myanmar border.

These communities, particularly the Nagas, found the newly created boundary to be inconsistent with the traditional limits of the region they inhabited. And they felt a deep sense of insecurity because they became relegated to the status of ethnic minorities on both sides of the border.

To address their concerns and enable greater interaction among them, the Indian and Myanmar Governments established the Free Movement Regime (FMR), which allowed Nagas to travel 16 km across the border on either side without any visa requirements.

The FMR is being misused by militants and trans-border criminals who smuggle weapons, contraband goods and fake Indian currency notes. Taking advantage of the free movement regime, occasionally they enter India, commit crimes and escape to their relatively safer hideouts.

In January 2018, the Union Cabinet had approved agreement (Memorandum of Understanding) between India and Myanmar on land border crossing to enhance economic interaction between people of two countries. To give it shape, the Centre had asked the four border states with Myanmar to distribute border pass to all the residents living within 16 km from the border which constitutes of about 3 lakh people living in 250 villages. The agreement has been deferred twice in the past seven months by the Myanmar Government citing domestic compulsion as a reason.

The agreement will facilitate movement of people on basis of valid passports and visas which will enhance economic and social interaction between two countries. It will facilitate regulation and harmonisation of already existing free movement rights for people ordinarily residing in border areas of both countries. It will also give a boost to the economy of the North-East and leverage geographical connections with Myanmar to boost trade and people-to-people ties. It will also safeguard traditional rights of largely tribal communities residing along the border which are accustomed to free movement across the land border.

4.8 Counter-terrorism – Steps Being Taken/Required

A multi-pronged approach is required.

- Communication and connectivity
- Infrastructure improvement
- Talks with IGs
- Co-ordination between central forces and state forces resulting in a much better tactical response
- Stringent law and fast criminal justice system for quick disposal of terrorist attack cases
- Zero-tolerance policy towards violence
- Greater cultural interaction with the rest of the country
- Socio-economic development that includes a holistic inclusive development
- Presence of government to be felt everywhere
- Decentralisation with alertness
- Improving administrative efficiency
- Pro-people governance
- Setting up High Courts in Manipur, Meghalaya and Tripura
- Coping with regional aspirations

4.9 Key Issues

4.9.1 Feeling of Alienation/Racial Discrimination Amongst Residents of the North-East

- They feel that they are not treated at par with other citizens of India.
- They feel that their culture is not promoted and properly highlighted in the right perspective in the rest of the country.
- They also feel that because of their distinct facial features they are compared to the Chinese and other similar ethnic communities. The recent murder of a North-East student in Delhi has again highlighted this sensitive issue. The government has seized the issue and has formed a special committee headed by an MP from the North-East to see how such discrimination can be avoided.

4.9.2 Armed Forces Special Power Act (AFSPA)

The AFSPA is an act enacted in 1958 which gives power to Army and Central Armed Forces to carry out search and arrest without warrant and use force if required in areas declared as disturbed by the Home Ministry.

It is in force in Assam, Jammu and Kashmir, Nagaland and Manipur (except the Imphal municipal area). In Arunachal Pradesh, only the Tirap, Changlang and Longding districts plus a 20-km belt bordering Assam come under its purview. And in Meghalaya, the AFSPA is confined to a 20-km area bordering Assam.

Although the Indian Armed Forces have been working in very arduous conditions, but sometimes, due to stress, their behaviour also comes under the scanner. In the process, some innocent people may have suffered, but the Army has also paid a heavy price through the loss of its soldiers and officers in guerrilla attacks.

There has been a long and continuous demand from the North-East that the special powers given to the Armed Forces in the North-East and the AFSPA should be withdrawn. **Irom Sharmila Chanu** was on hunger strike for over fifteen years on this single issue.

It is true that, at times, the security forces are accused of alleged human rights violations, but with so many IGs active in the whole of the North-East, the removal of the AFSPA now is not advisable. If the Armed Forces are deployed without the power of search and seizure, then their deployment is meaningless. Therefore, there is a need to continue with the AFSPA but the forces must also be wary of human rights violations and must be accountable for their actions and behaviour towards the public.

Recently, the Supreme Court has ordered the re-investigation of more than 1,500 cases against the Armed Forces in Manipur. Many people are missing, disappeared or are feared dead due to actions of Indian Armed Forces. The Supreme Court has stated that the AFSPA does not provide blanket immunity to the Armed Forces. The Supreme Court has also commented recently that infinite AFSPA is indicative of the failure of the Army and the Indian government.

- Recently, the Union Home Ministry delegated the powers to repeal the AFSPA to respective states in the North-East.
- Tripura and Meghalaya have totally repealed the AFSPA from their states. This is a great step towards peace and stability in the North-Eastern region.
- Currently, the AFSPA is in place (in the North-East) in the following areas as of **1 January 2019**:

1. State of Nagaland
2. State of Manipur (except the Imphal Valley)
3. Jurisdiction of eight police stations of Arunachal Pradesh
4. State of Assam

There is a need for initiating a meaningful dialogue with all the stakeholders as far as the removal of the AFSPA is concerned. Only after taking the Army and the Central Armed Police Forces on board, a gradual removal of the AFSPA may be considered where the condition is peaceful

and stable for a sufficient period of time on the lines of Manipur which had in August 2004 repealed the AFSPA from 20 sq km area in the capital Imphal following a series of violent protests to strike down the AFSPA.

4.9.3 Bodo–Muslim Clashes of 2012

The Bodos have been fighting for separate Bodoland since 1986 under the NDFB and ABSU. This was opposed by non-Bodos including Bengali-speaking Muslims who have emigrated from Bangladesh.

In July 2012, there were communal clashes between the Bodos and Muslims, which claimed many lives and displaced more than four lakh people. The violence initially started from Kokrajhar and Chirag and spread to all districts of Bodoland and lower Assam. Bodo organisations upped the ante on the illegal immigration issue demanding updating of citizens verification of Muslims and their citizenship status.

The violence in 2012 followed ethnic tensions between the indigenous Bodo people and Bengali-speaking Muslims. While the Muslims state that they are descendants of East Bengali Muslims brought to Assam during the British Raj, local communities allege that the Muslim population has increased, boosted by refugees from the erstwhile East Pakistan prior to the Indo-Pakistani War of 1971 and by subsequent illegal migration from Bangladesh.

The situation was further vitiated due to circulation of certain provocative SMS, MMS and Internet-based messages triggering an exodus of the North-East people from the Southern states of Andhra Pradesh, Tamil Nadu, Karnataka and Kerala under the fear of being attacked by Muslims.

As a counter to this, the Muslim students' organisations came together on one platform under the **United Muslims Front for People's Rights (UMFPR)**.

4.9.4 Exodus of Rohingya Muslims from Myanmar

Rohingya Muslims live in North of the Rakhine State of Myanmar, and their population is about 8–9 lakh. They have not been recognised as citizens by Buddhist-dominated Myanmar. They face persecution in Bangladesh and Thailand as well.

The exodus of Rohingya Muslims started after the riots between ethnic Rakhine Buddhists and Rohingya Muslims in the Northern Rakhine State of Myanmar in **June 2013**. Violence between Muslims and Buddhists broke out again in late October. It resulted in at least 80 deaths, displacement of more than 20,000 people and burning of thousands of homes. The outburst of fighting brought the total number of displaced since the beginning of the conflict to 1,00,000. Rohingyas have also suffered enforced segregation, are not allowed to leave their settlements and are the subject of a campaign of commercial boycott led by the Buddhist monks with serious threats against

those who trade with Muslims. The UN has described the Rohingyas as among the 'world's most persecuted minorities'.

Over the past few years, the number of Rohingya Muslims coming into India has increased considerably. Most of them are reportedly taking shelter in Muslim-dominated areas in the country.

According to observers, the refugees have nothing in common with the Indian Muslims apart from their religion. Their way of life is completely different and hence, they do not adjust too well over here.

The rising Buddhist–Muslim tensions originating in Myanmar are causing political repercussions at the regional level, raising India's security concerns.

The Lashkar-e-Taiba (LeT) is believed to be recruiting Rohingyas, offering to help them to seek revenge against the Buddhists through terrorist acts. The Union Home Ministry has decided to conduct a fresh census on the Rohingya Muslims following these reports.

The LeT and Jamaat-ud-Dawah created an outfit known as the Difa-e-Musalman Arakan [Burma]. This outfit was assigned to tie up with Islamic organisations in Myanmar and Bangladesh. There are several other terror groups that are involved with the Rohingyas. While the Rohingyas are receiving funds from Saudi Arabia, weapons are apparently being sourced from Thailand.

There are sizeable Rohingya populations in Aligarh in Uttar Pradesh, in Andhra Pradesh, Maharashtra and even Jammu and Kashmir. Rohingya refugees are often seen protesting in Delhi outside the United Nations Human Rights Commission asking for the UN refugee status.

It is believed that the terror attack in and around the Mahabodhi Temple in Bodh Gaya on 7 July 2013 was targeted at international Buddhist tourists to avenge the killings of Rohingya Muslims in Myanmar.

4.9.4.1 Rohingya (Recent Development)

Since **25 August 2017**, more than **7 lakh Rohingya refugees** have fled violence and persecution in the Rakhine State, Myanmar. Over a million are now displaced in Bangladesh causing a major humanitarian crisis.

The **Home Ministry has labelled them 'illegal immigrants'**, and has accused them of posing a **national security threat**, and pushed for their deportation in an affidavit submitted to the Supreme Court. The country is already fighting insurgencies in Northern Kashmir and in its North-Eastern states, and this could further act as fuel to the fire.

The government opted for a stringent policy of deportations of the Rohingyas and termed it as an administrative decision involving diplomatic and other considerations including an overwhelming consideration of national interest.

But rights groups criticised the ruling. The Human Rights Watch said that 'deporting these men will place them at severe risk of torture and abuse'.

Amnesty International said their deportation 'violates customary international law'.

Article 19 of the Indian Constitution is only available to the citizens of India right to reside and settle in any part of India and is not available to the Rohingyas.

- The Rohingyas cannot claim residence on legal grounds, as India is neither a signatory to the 1951 Convention relating to the Status of Refugees nor the **1967 Protocol Relating to Status of Refugees** and thus, the provision of non-refoulement does not extend to immigrants.
- Moreover, the **Foreigners Act of 1946** statutorily empowers the Central Government to deport a person who is an illegal immigrant.
- Furthermore, the Centre asserted that immigrants would pose an adverse impact upon Indian citizens as it would deprive the Indian citizens of their legitimate share in the employment sector, subsidised housing and medical and educational facilities. The resource crunch might culminate in hostility towards immigrants resulting in inevitable social tension and law and order problems.

4.9.4.2 Security Threat

- The government's affidavit said there was an **organised influx of illegal immigrants** from Myanmar through agents and touts facilitating illegal immigrants/Rohingyas into India via Benapole-Haridaspur (West Bengal), Hili (West Bengal), Sonamura (Tripura), Kolkata and Guwahati.
- Inputs from security agencies indicate the indulgence of the Rohingya in fund mobilisation through hawala channels, human trafficking and procurement of fake Indian identity documents.
- An intelligence report highlighted the **symbolic assertion of the ISI and ISIS with the Rohingya**, which can stir communal violence and destabilise the Buddhist centric North-East region.

India should still seek to engage both Bangladesh and Myanmar to find a resolution to the current humanitarian crisis while at the same time engage in proactive patrolling of the India–Bangladesh and India–Myanmar international border.

4.9.5 Inner Line Permit

The Inner Line Permit (ILP) system is a special pass or permit or quasi visa that is required by an Indian citizen to enter the protected/restricted area of state for a limited period. It was introduced by then British India Government to protect indigenous tribal people from encroachment into their areas by outsiders. Later, they used it as an instrument to advance the commercial interest. In this case, protected area/restricted area under ILP regime is notified by the Union Government and ILP is issued by the State

Governments under the **Bengal Eastern Frontier Regulation, 1873**. This permit or quasi visa regime is presently operational in three North-Eastern States, viz, Arunachal Pradesh, Mizoram and Nagaland.

Lately, there have been demands from Manipur, Meghalaya, etc. to implement the ILP system and also to implement the NRC.

Probable Questions Based on This Chapter

1. 'Invariably, identity crisis lies at the core of most forms of extremism in India's North-East'. What are the various identity factors which fuel extremist tendencies in the North-Eastern states of India? What could be done to resolve the identity crisis?
2. How did a porous border with Myanmar give an impetus to insurgency in the North-East?
3. What are the main factors responsible for extremism in the North-East?
4. How has the Government of India responded to insurgency in the North-East?
5. 'The continuation of the AFSPA is a classic example of a Victorian era law to deal with modern era problem'. Discuss the circumstances which necessitate the AFSPA and suggest changes in the Act to assuage people's sentiments.
6. How far are India's internal security challenges linked with border management, particularly in view of the long porous borders with most countries of South Asia and Myanmar?
7. The North-Eastern region of India has been infested with insurgency for a very long time. Analyse the major reasons for the survival of armed insurgency in this region.
8. There has been a lot of debate regarding providing refugee status to Rohingyas. Discuss both sides of the issue and justify your viewpoint.
9. Mary Kom has given a big impetus to sports in Manipur. Do you think it can be used to solve the problem of insurgency?
10. Write a short note on each model that deals with the issue of extremism:
    (a) Tripura model
    (b) Mizoram model

Chapter 5

Left-Wing Extremism – A War Upon State

5.1 What Is Left-Wing Extremism (LWE) or Naxalism (As it is Popularly Called)?

The term 'Naxal' is derived from the name of Naxalbari village of the Darjeeling district in West Bengal, where the movement originated in 1967 under the leadership of Charu Majumdar, and Kanu Sanyal and Jangal Santhal. It refers to the use of violence to destabilise the state by various communist guerrilla groups.

Naxalites are far-left radical communists who derive their political ideology from the teachings of Mao Zedong, a Chinese revolutionary leader. They have been operating in various parts of the country since the early 1970s. At various points of time, different areas of the country have been seriously affected due to overt violence resorted to by Naxalite groups active there.

Former Prime Minister Manmohan Singh described Naxalism as the most significant threat to internal security being faced by the country today. The threat has existed since long though there have been many ups and downs.

5.1.1 Philosophical Background of Naxalism/Maoism/Left-Wing Extremist

History has been a witness to the repeated occurrence of violence against the ruling elite mostly by the peasant class motivated by leftist ideologies. The ideological basis for these violent movements was provided by the writings of Karl Marx and Friedrich Engels. This ideology is commonly called Communism/Marxism. This was later supported by Vladimir Lenin and Mao Tse-tung (Mao Zedong). Leftist ideologies believe that all existing social relations and state structures in an elitist/capitalist society are exploitative by nature and only a revolutionary change through violent means can end this exploitation. Marxism advocates the removal of the capitalist bourgeois elements through a violent class struggle.

Maoism is a doctrine that teaches to capture the state power through a combination of armed insurgency, mass mobilisation and strategic alliances. Mao called this process, the **'Protracted Peoples War'**. The Maoist ideology glorifies violence and, therefore, the **'bearing of arms is non-negotiable'** as per the Maoist insurgency doctrine. Maoism fundamentally considers the industrial–rural divide as a major division exploited by capitalism. Maoism can also refer to the egalitarianism that was seen during Mao's era as opposed to the free-market ideology.

Maoism's political orientation emphasises the **'revolutionary struggle of the vast majority of people against the exploiting classes and their state structures'**. Its military strategies have involved guerrilla war tactics focused on surrounding the cities from the countryside, with heavy emphasis on political transformation through mass involvement of the lower classes of society. **'Political power grows out of the barrel of a gun'** is the key slogan of the Maoists. They mobilise large parts of the rural population to revolt against established institutions by engaging in guerrilla warfare. Maoism is **no longer an ideological movement**. Maoists are now creating a fear psychosis and denying democracy and development to tribals.

Unlike the political mass movements with violent underpinnings in the border areas, Naxalites do not seek to secede from the Indian Union to establish a sovereign independent state of their own, but their aim is to capture political power through armed struggle to install the so called **'people's government'**.

5.1.2 Phases of Naxalism

Maoists spread their ideology very systematically and in a phased manner as follows:

1. **Preparatory Phase** – Detailed survey of new areas identifying important people, important public issues on which masses can be mobilised
2. **Perspective Phase** – Mobilisation through frontal organisations, staging demonstration against government/administration based on local public grievances
3. **Guerrilla Phase** – Converting the public movement into violent guerrilla warfare
4. **Base Phase** – Here the Maoists try to establish their base and change the guerrilla zone into a liberated zone
5. **Liberated Phase** – Establishment of people's government

5.2 Evolution of Naxalism in India

The spread and growth of Naxalism in India can broadly be divided into **three phases or stages**, which are described below.

5.2.1 First Stage

The Naxalite movement began in **May 1967** in the three police station areas, Naxalbari, Khoribari and Phansidewa of the Darjeeling district in West Bengal. In **November 1967**, the left-wing extremists from the whole country founded the **'All India Coordination Committee'** in Kolkata. In **May 1968**, the committee was renamed as **'All India Coordination Committee of Communist Revolutionaries' (AICCCR)**. It declared **four ideological aims**:

1. Protracted people's war in accordance with Mao's teachings
2. Adapting to guerrilla warfare tactics
3. Establishment of rural revolutionary base areas
4. Encircling the cities as well as abstaining from parliamentary elections

AICCCR founded the revolutionary party **CPI Marxist-Leninist (ML)** in **1969**, which was based on Maoist ideology. Soon, the Naxalite movement spread to many parts of the country, especially West Bengal, Odisha, Bihar, and Andhra Pradesh. Their main followers were peasants and adivasis or tribals, who often experienced discrimination and exploitation from the state authorities. Also, several young unemployed people and students were attracted to the Naxal ideology. **The period from 1970 to mid-1971 was the peak period of violent activities by Naxalites**. A joint operation of police and army in 1971 in the worst-affected areas in West Bengal, Bihar and Odisha led to the arrest and death of almost all the top leaders of the movement. **Charu Mazumdar was caught and died in 1972 in police custody**. The movement faced a severe blow during emergency when around **40,000 cadres were imprisoned in 1975**.

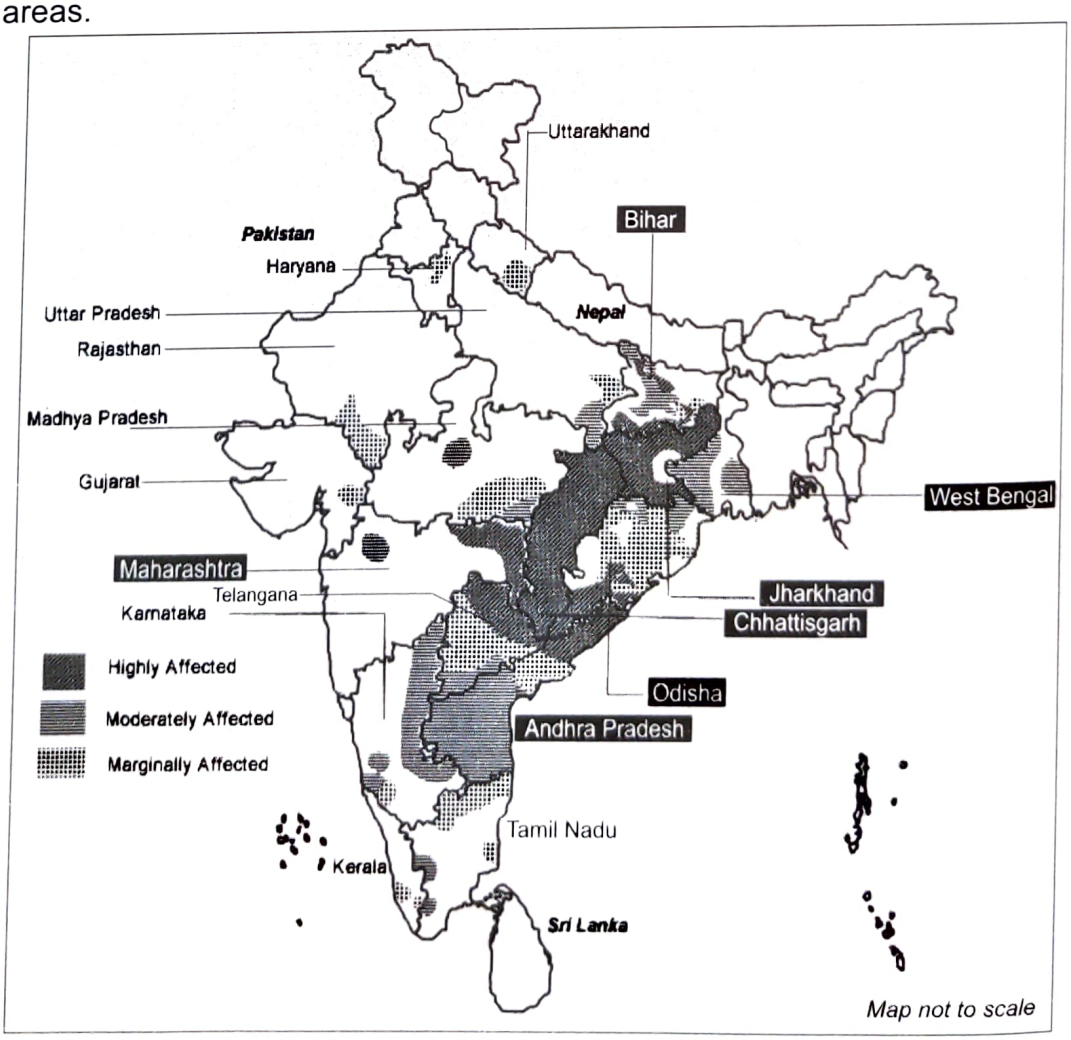
5.2.2 Second Stage

The movement arose again in a more violent form after the emergency. It continued to widen its base as per the strategy of **'protracted war'**. Their base **grew from West Bengal to Bihar to Odisha and also to Andhra Pradesh and Chhattisgarh**. The CPI(ML) was converted to the **People's War Group (PWG)** in **1980** which had its base in Andhra Pradesh and struck heavy causalities among police personnel. The PWG was **banned by the Andhra Government in 1992** but it continued its activities. Simultaneously, the **Maoist Communist Centre of India (MCCI)** grew in strength in Bihar and carried out large-scale attacks on landlords and other upper caste outfits. The Naxal movement continued to grow at a steady pace across many parts of the country.

5.2.3 Third Stage

In a significant development in **2004**, the PWG, operating in Andhra Pradesh, and the MCCI, operating in Bihar and adjoining areas, merged to form the **CPI (Maoist)**. Over **thirteen left-wing extremist (LWE) groups** are

currently operating in the country. The **CPI (Maoist) is the major LWE outfit** responsible for most incidents of violence and killing of civilians and security forces and has been included in the Schedule of Terrorist Organisations along with all its formations and front organisations under the **Unlawful Activities (Prevention) Act, 1967**. After the formation of CPI (Maoist), Naxal violence has been on the rise since 2005. Estimated to be 40,000 strong, the Naxalites have been a strain on the country's security forces and a barrier to development in the vast mineral rich region in eastern India known as the **'Red Corridor'**. It is a narrow but contiguous strip passing through Jharkhand, Chhattisgarh, and Odisha. In fact, at the peak of the Maoist movement in Nepal, the Naxal influence was seen to be spreading from **'Tirupati to Pashupati'**. The worst affected areas of the Maoist influence include approximately thirty districts of seven states, namely Chhattisgarh, Odisha, Maharashtra, Andhra Pradesh, Jharkhand, Bihar, and West Bengal. Most of these areas fall in the Dandakaranya region, which includes areas of Chhattisgarh, Odisha, Maharashtra, and Andhra Pradesh. The CPI (Maoist) has stationed some battalions in the Dandakaranya region. Local panchayat leaders are often forced to resign, and the Maoists hold regular **Jan Adalat**. They have been running a parallel government and parallel judiciary in these areas.



Extent of Spread of Naxalism

But violence alone cannot be the only yardstick to measure Maoist expansion. Maoists are also expanding in terms of indoctrination and consolidation. They are also trying to spread their ideology in the Bheel and Gond tribes dominated area – the **'Golden Corridor'** stretching from Pune to Ahmedabad – in various social groups and marginalised sections like Dalits and minorities by associating with their grievances against the state. According to the latest information released by the **Ministry of Home Affairs** (MHA), Naxals have made their presence felt in new areas such as few districts in Kerala. Maoists have also made their presence felt in Western Odisha, Upper Assam and Lohit in Arunachal Pradesh while they faced huge setbacks in the Jangalmahal area of West Bengal and Kaimur and Rohtas districts of Bihar.

State-wise Extent of LWE Violence During 2014–2020

State	2014		2015		2016		2017		2018		2019		2020	
	Incidents	Deaths	Incidents	Deaths	Incidents	Deaths	Incidents	Deaths	Incidents	Deaths	Incidents	Deaths	Incidents	Deaths
Andhra Pradesh	18	4	35	8	17	6	26	7	12	3	18	5	12	4
Bihar	163	32	110	17	129	28	99	22	59	15	62	17	26	8
Chhattisgarh	328	112	466	101	395	107	373	130	392	153	263	77	315	111
Jharkhand	384	103	310	56	323	85	251	56	205	43	200	54	199	39
Madhya Pradesh	3	0	0	0	12	2	3	1	4	0	5	2	16	2
Maharashtra	70	28	55	18	73	23	69	16	75	12	66	34	30	8
Odisha	103	26	92	28	86	27	81	29	75	12	45	11	50	9
Telangana	14	5	11	2	7	0	5	2	11	2	8	2	15	2
Uttar Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0
West Bengal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Others	8	0	10	0	6	0	1	0	0	0	3	0	2	0
TOTAL	**1091**	**310**	**1,089**	**230**	**1,048**	**278**	**908**	**263**	**833**	**240**	**670**	**202**	**665**	**183**

The movement's capacity to challenge the state had also increased enormously by 2010 considering the incidents of violence and casualties resulting from them. The **biggest incident** was when they ambushed a whole Central Reserve Police Force (CRPF) Company in **April 2010** in Dantewada of Chhattisgarh and killed 76 CRPF armed personnel, showing the extent of their strategic planning, skills and armament.

In 2013, the LWE movement made international headlines when they killed 27 people, including some high-level politicians, in the Sukma district of Chhattisgarh.

5.2.4 Changes in the Red Corridor

The **Red Corridor** is the region in the Eastern, Central and Western part of India that experiences considerable Naxalite insurgency. Recently, the **MHA** has undertaken a comprehensive exercise in consultation with the states to review the effected districts and redraw the Red Corridor. It was found that the LWE situation in the country has been improving consistently and is now well under control. As a result, in **April 2018**, the contours of the Red Corridor have been redrawn.

5.2.4.1 Shrinking Corridor

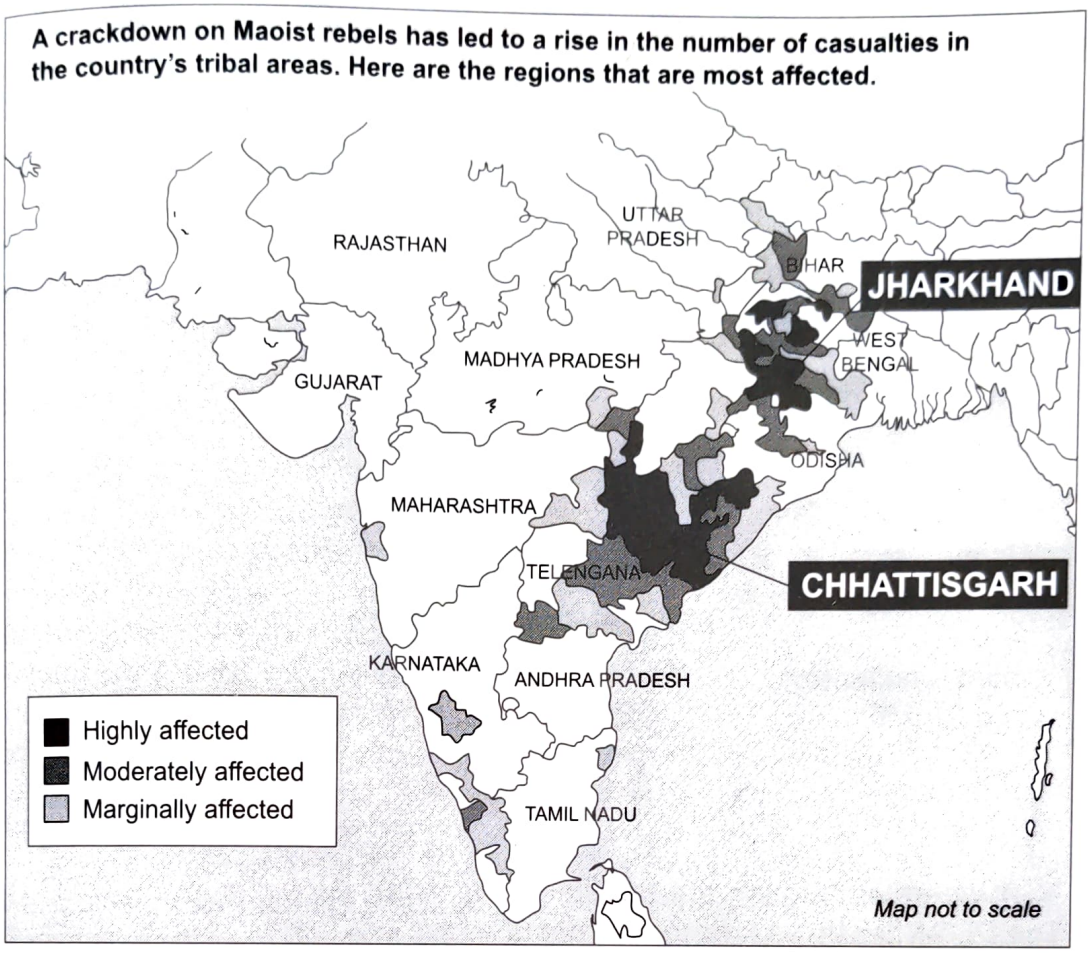
- In 2015, the total number of LWE-affected districts was 106 districts in ten states (Red Corridor). However, over the last few years, several districts have been carved into smaller districts and new states have been formed, which resulted in the same geographical area of the 106 districts being spread over **126 districts in eleven states by 2017**.
- 44 out of 126 districts affected by the LWE in the country were removed from the list of Naxal-hit areas as the government found that these districts are either no longer under the influence of Maoists or have been reduced to a negligible presence. Out of the remaining, **only 58 districts have reported violence in 2017**.

5.2.5 Latest Attack by Naxals in Sukma

In a recent attack in the Sukma District of Chhattisgarh, 22 CRPF and State police personnel were killed in an ambush by the Naxals in **April 2021**. This is **one of the biggest attacks** since the big attack in Dantewada in 2010 in which 76 CRPF personnel were killed by Naxals. This shows that Naxal area is shrinking but Naxalism still remains forceful, especially in the three districts of Chhattisgarh – Dantewada, Sukma, Bijapur – and in the Gadchiroli district of Maharashtra and bordering area of Orissa.

There always would be post mortem of government policies as well as tactical strategy of security forces after such big losses, but it is natural that in a protracted war, spread over a vast area like this based on **guerrilla tactics**, such losses are bound to happen. The government has to keep analysing and revising its multi-pronged strategies which have helped in shrinking the Red Corridor till now.

Also, shrinking of the Red Corridor should not be taken as if Naxalism is wiped out from those areas. The government has to be on its toes and consolidate the gains through follow-up actions on all fronts like development, psychological operations and security strategy.



A map of India's Maoist conflict

5.2.5.1 Deadly Attacks

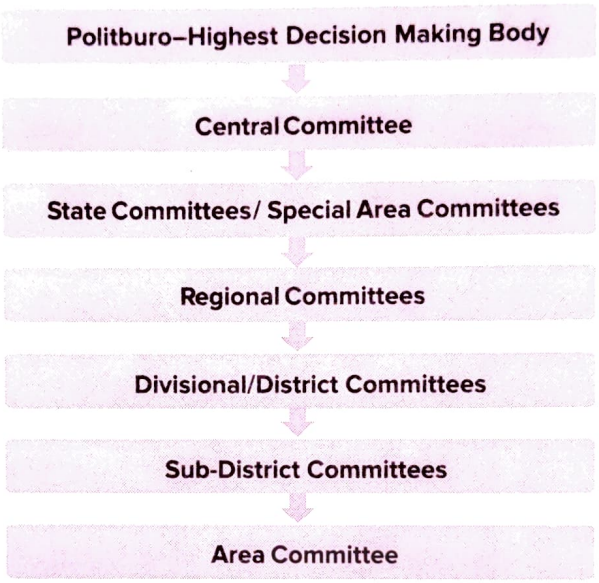
Sukma has witnessed several Maoist attacks in the past. A few of them are as follows:

- **23 March 2021:** Five District Reserve Guard (DRG)* personnel of the Chhattisgarh police were killed after their bus was blown up by a powerful bomb in the Narayanpur district
- **9 May 2020:** A sub-inspector of the Chhattisgarh police was killed in an encounter with the Maoists in Rajnandgaon
- **22 March 2020:** 17 members of a police patrol were killed in an ambush in Sukma
- **27 October 2018:** Four CRPF personnel were killed in an ambush in the Bijapur district
- **11 March 2017:** 12 CRPF personnel were killed in an ambush in the Sukma district

* DRG is locally raised force of Chhattisgarh to eliminate maoism, who are playing a crucial role in anti-naxalite operations. They are basically former naxalites of lower cadre who are also called sons of soil and gained lots of success because of their knowledge of local terrain and naxalite tactics.

5.3 Party Structure

The CPI (Maoist) is the main party now after the merger of various Naxalite groups in 2004. Nambala Keshava Rao is the Secretary General of the party. The organisational structure of CPI (Maoist) is as follows:



It operates through the **Peoples' Liberation Guerrilla Army (PLGA)**. The PLGA has **three kinds of forces:**

1. Basic force (Gathering of intellectuals)
2. Secondary force (Area committee plus guerrilla squads)
3. Main force (Structured on battalion/platoon format like the armed forces, and an intelligence unit)

As of date, the strength of the PLGA is around 8,000–9,000 while Jan Militia is around 38,000. Usually 40–50 per cent of the total cadres consist of women.

5.4 Aims and Objectives and Modus Operandi of Naxalites

The aim of the Naxalites is to destroy the legitimacy of the state and to create a mass base, with a certain degree of acceptability. The ultimate objective is to attain political power by violent means and establish what they envisage as **The India Peoples' Democratic Federal Republic**. The Naxalites predominantly attack the police and their establishments. They also attack certain types of infrastructure, such as rail and road transport and power transmission, along with forcibly opposing the execution of development works like critical road construction. Naxalite activity is also manifesting itself through various civil society and front organisations on issues such as SEZ

policy, land reforms, land acquisition, displacement, etc., with the objective of expanding their mass base and acquiring support of some intellectual elite.

While impeding development works and challenging state authority, the Naxalites simultaneously try to derive benefit from the overall under-development and sub-normal functioning of field institutions such as police stations, tehsils, development blocks, schools, primary health centres and *anganwadi* centres, which administer and provide services at the ground level and reflect the state presence and writ.

5.4.1 Frontal Organisations of Left-Wing Extremists

The Maoists use their front organisations, like the **Revolutionary Democratic Front**, **Peoples' Democratic Front of India**, **Democratic Student Union**, and other student groups from left-wing institutions, to generate people's sympathy through persistent pursuance of propaganda on issues of human rights violations by the security forces. Maoists take help from left leaning civil society groups, human rights groups, national and international media, and other students' groups for mass mobilisation. They exploit the sluggish judicial system to get away from legal conviction and punishment.

5.4.2 Guerrilla Warfare

The Maoists use guerrilla warfare tactics. **Guerrilla warfare** is a form of **irregular warfare** in which a small group of combatants, such as armed civilians or irregulars, use military tactics including ambushes, sabotage, raids, petty warfare, hit-and-run tactics and extraordinary mobility to fight a larger and less mobile traditional army.

5.4.3 Powerful Propaganda Machinery

Naxalites have very **powerful propaganda machinery** which is active in all major towns as well as in the national capital. They even have their supporters in the media. These NGOs and activists wage a **non-stop propaganda war** against any government step that aims to check the Naxalite movement. As a matter of strategy, Naxalites try to be on the right side of the media all the time. They have their sympathisers everywhere who raise a hue and cry in the name of human rights against police action on the Maoists. These media groups are conveniently silent when Naxalites kill innocent people.

5.4.4 Tactical Counter Offensive Campaign (TCOC)

Maoists carry out violent activities called the **'Tactical Counter Offensive Campaign' (TCOC)** which runs from **March to early monsoon in July**. Maoists usually resort to TCOC every year to put the security forces in disarray so that they can go on a recruitment drive. The aim of TCOC is

to exhibit and consolidate their (Maoists) strength, by carrying out violent operations. Going by the experience, the rebels have launched a number of deadly attacks against security forces during the TCOC period.

5.4.5 Fresh Strategy of Maoists

A **fresh strategy of Maoists:** is to expand outside the forests into the urban areas, win over non-peasant classes and other social groups, seize leadership of ongoing local struggles, intensify mine warfare, militarise the Jan Militia, force the dispersal of police resources by launching attacks outside its strongholds, establish organisational bases in towns adjoining guerrilla zones and harden its stance downtrodden on abductions.

5.4.6 Urban Naxalism

Usually, it is believed that the **Naxalite/Maoist movement** is a movement of the masses, and it grows in the most undeveloped parts of the countries which have no roads, infrastructure, telecommunication means, etc. That is why its major stronghold are areas like **Dandkarayna** (area bordering Chhattisgarh, Andhra Pradesh, and Orissa), which is devoid of all kinds of development even after 70 years of independence. But urban Naxalism has always been a part and parcel of the Maoists strategy which uses **Front Organisations** mainly in urban areas to mobilise certain targeted sections of the urban population, recruit intellectual revolutionaries, raise funds for insurgency and create urban shelters for underground cadres.

These organisations are generally manned by ideologues that include academicians and activists, mostly operating under the garb of human rights NGOs that are internally linked to CPI (Maoist) party structure but maintain separate identities to avoid any legal action.

Such organisations are also adept at using the legal processes and attempt to malign the state institutions through a concerted and systematic propaganda and disinformation campaigns to further their cause. These ideologues have kept the Maoist movement alive and are in many ways more dangerous than the cadres of the PLGA.

The **arrest of five major ideologues in 2018** has brought Urban Naxalism to the forefront, though raising many eyebrows in the so-called **intellectual circles**.

The police carried out synchronised raids in five states at the homes of prominent civil and human rights activists and intellectuals, whom the Maharashtra police and intelligence officials have called **Urban Naxals** and arrested 5 of them in the Bhima Koregaon violence case. They were arrested under the **Unlawful Activities (Prevention) Act**.

Urban Naxalism is not an overnight grown phenomenon, rather it is a part of an elaborate strategy of CPI(M). In **2004**, its document titled **'Urban Perspective: Our Work in Urban Areas'** defined the Urban Naxalism

strategy. The strategy emphasises on mobilising industrial workers and urban poor, establishing front organisations, building 'tactical united fronts' of likeminded organisations including the students, middle-class employees, intellectuals, women, Dalits and religious minorities.

Frontal organisations supporting **'Urban Naxalism'** are active in a number of cities, including Delhi, Mumbai, Kolkata, Chandigarh, Ranchi, Hyderabad, Nagpur and Pune.

5.4.6.1 Way Forward

- The MHA suggests that the strategy to tackle LWE challenges must include plans to tackle **'Urban Naxalism'**. The state must initiate legal action against the Maoist front organisations.
- A **separate budget** should be provided to counter the growing Naxal footprint in cities.
- **Initiating legal proceedings** against the ideologues including academicians and activists often resulted in negative publicity for enforcement agencies due to effectiveness of the Maoist propaganda machinery. There is a need to address the issue through systematic, protracted, and persistent efforts.

5.5 Links with Other Terrorist Organisations and Foreign Countries

The CPI (Maoist) has close fraternal ties with many North-East insurgent groups, especially the **RPF/PLA of Manipur** and **National Socialist Council of Nagaland (NSCN-IM)** for sourcing arms. Most of these outfits have linkages with external forces inimical to India. The CPI (Maoist) has also frequently expressed their solidarity with the Jammu and Kashmir terrorist groups. These ties are a part of their **'strategic united front'** against the Indian State. The CPI (Maoist) also has close links with the foreign Maoist organisations in Philippines (Communist Party of Philippines), Turkey, etc.

The above outfit is also a member of the **'Coordination Committee of Maoist Parties and Organisations of South Asia' (CCOMPOSA)**, which includes ten Maoist groups from Bangladesh, India, Nepal, and Sri Lanka. The CCOMPOSA cited its chief aim as resisting not only US imperialism and globalisation, but also the 'centralised' Indian State and its internal repression of minority people. It also targeted the alleged expansionist designs of India in South Asia backed by US imperialism. In **2006**, the **CCOMPOSA in its fourth conference in Nepal** reiterated its anti-India stand and reaffirmed its commitment to spread protracted people's war to capture the state power through violent means in South Asia.

5.5.1 Sources of Funding and Linkages with Organised Crime

The main source of funding of the LWE movements is **extortion from the government projects** as well as from **corporate companies** working in their areas of influence. Most of the time, it is in the form of protection money. Sometimes, they resort to kidnapping and killings also to terrorise the rich people so that they give financial help easily. LWE is most intense in areas rich in natural mineral resources, such as coal, iron, bauxite, manganese, nickel, and copper. Odisha and Jharkhand alone account for more than half of the country's coal reserves. Coal is by far India's largest energy resource. Therefore, it provides them enough scope for extortion.

5.6 Naxalites Are Not Really Messiahs of the Downtrodden

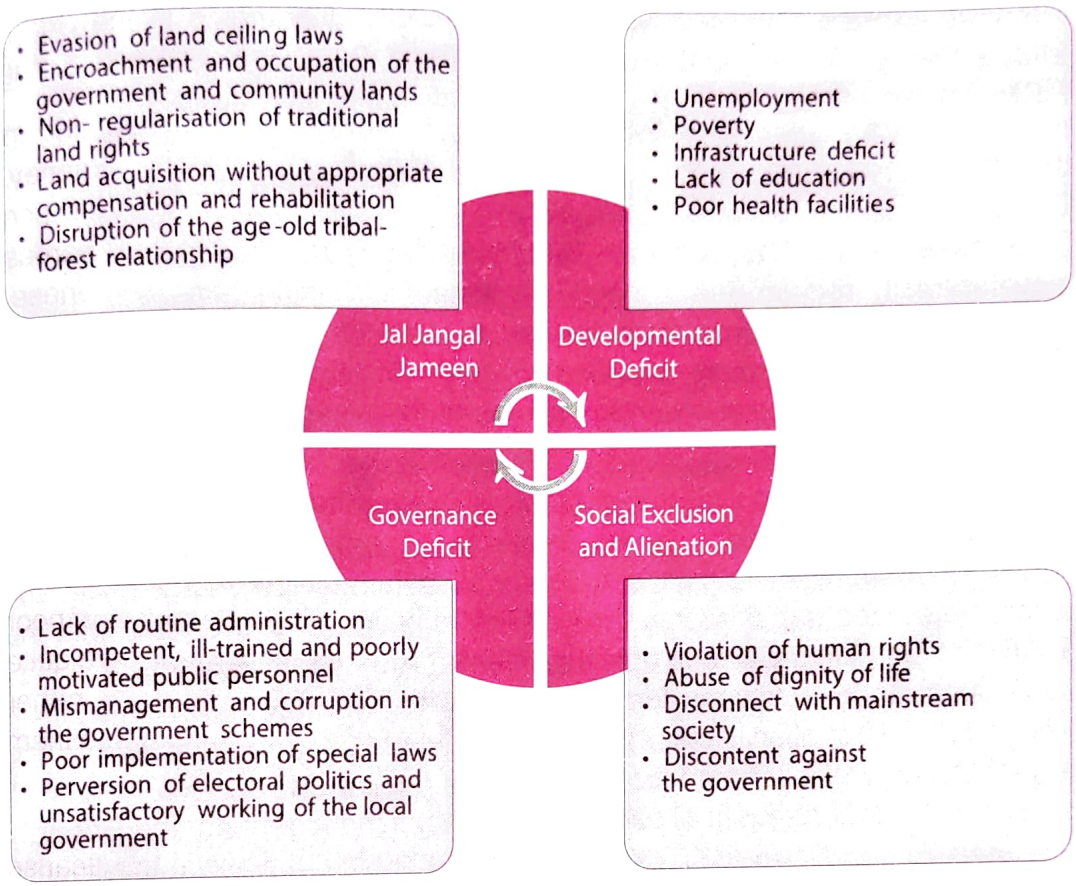
From their ideology, it appears that Naxalites are fighting for the rights of poor people and want to establish a people's government, while the facts are quite contrary. **Social uplifting of the downtrodden is not their real aim**, rather it is **political power**. They study the local problems and issues and use them as fodder to foster their end game which is clearly the **seizure of power through violent means**.

Maoists have **vested interest in keeping poverty alive** because it enables them to expand their territory. They do not allow the district administration to do any development work like building roads and improving electricity and water supply in the areas. The local population very soon realises that they have been used by the Naxalites and their social and economic issues take a back seat while the battle for supremacy emerges as the prime motto of the Maoists. But, at times, it is too late, and the locals are forced to support them.

5.7 Factors Responsible for Rise of Naxalism

It is ironical that even after 66 years of independence, many remote areas, which are otherwise rich in mineral resources, are yet to see any sign of development. This situation, combined with many other socio-economic problems, has contributed towards the rise of Naxalism in India.

These factors can be broadly categorised as follows:


Evasion of land ceiling laws
Encroachment and occupation of the government and community lands
Non- regularisation of traditional land rights
Land acquisition without appropriate compensation and rehabilitation
Disruption of the age-old tribal-forest relationship
Unemployment
Poverty
Infrastructure deficit
Lack of education
Poor health facilities
Jal Jangal Jameen
Developmental Deficit
Governance Deficit
Social Exclusion and Alienation
Lack of routine administration
Incompetent, ill-trained and poorly motivated public personnel
Mismanagement and corruption in the government schemes
Poor implementation of special laws
Perversion of electoral politics and unsatisfactory working of the local government
Violation of human rights
Abuse of dignity of life
Disconnect with mainstream society
Discontent against the government

5.8 Fight Against Naxalism

Under India's Constitution, issues of law and order have traditionally been the responsibility of the states, rather than the centre. Till 2006, the affected states were mainly taking on the Red Corridor. Andhra Pradesh had even succeeded in curbing Naxalism to a large extent.

In 2006, after the Prime Minister's declaration of the Naxal problem as the biggest challenge to internal security, many new steps were taken. This included creation of a separate division in the **Home Ministry (Naxal management division)** and appointment of an **expert committee headed by D. Bandopadhyay by the Planning Commission in 2006**.

The expert committee underscored the social, political, economic, and cultural discrimination faced by the scheduled castes/scheduled tribes (SCs/STs) across the country. The committee established the lack of empowerment of local communities as the main reason for the spread of Naxalism. It further stated that state bureaucracy had failed miserably in delivering good governance in Naxal-affected areas. It recommended a tribal-friendly land acquisition and rehabilitation policy.

The former Prime Minister Manmohan Singh admitted in 2009 that the government's efforts at containing the Naxalites had not been up to the desired level. After this, the worst-affected states launched a large-scale

offensive operation that involved deployment of heavy troops in the worst-affected areas. This operation was codenamed Operation Greenhunt. The CRPF launched **'Bastariya Batallion'** for anti-Naxal operations.

5.8.1 Government Approach to Deal with Left-Wing Extremism

The government has realised that the issues of good governance, development, regular functioning of critical field institutions and public awareness are also important in dealing with the LWE. Therefore, its approach has accordingly changed to deal with Naxalite activities in the areas of security, development, administration, and public perception in a holistic manner.

'Police' and 'public order' being state subjects, the action with respect to maintenance of law and order lies primarily in the domain of the concerned state governments. The centre, however, closely monitors the situation and coordinates and supplements their efforts in several ways to deal with the LWE problem. These include providing Central Armed Police Forces (CAPFs) and Commando Battalions for Resolute Action (CoBRA), sanction of India Reserve (IR) battalions, modernisation and upgradation of the State Police under the umbrella scheme for the **'Modernisation of Police Forces' (MPF scheme)**, reimbursement of security related expenditure under the **Security Related Expenditure (SRE) scheme**, strengthening of Special Intelligence Branches/ special forces of the states and fortification of police stations under the **Special Infrastructure Scheme (SIS)**. They are also providing helicopters for **anti-LWE operations**, assistance in training of state police through Ministry of Defence, Central Police Organisations and Bureau of Police Research and Development, sharing of intelligence, facilitating inter-state coordination, community policing and civic action and assistance in development work through a range of schemes of different central ministries.

The underlying philosophy is to **enhance the capacity of the State Governments** to tackle the LWE menace in a concerted manner. The Centre has adopted an **integrated and holistic approach** to deal with LWE by addressing the areas of security, development and promoting good governance simultaneously. To achieve this, a **National Policy and Action Plan** has been put in place adopting a multi-pronged strategy in the areas of security, development, ensuring rights and entitlements of traditional dwellers/tribals, etc with focused attention on 106 LWE-affected districts in ten states and particularly in 35 most-affected LWE districts in seven states.

5.8.2 Important Schemes for States Affected by Left-Wing Extremism

In order to holistically address the LWE problem in an effective manner, the government formulated the **National Policy and Action Plan in 2015** adopting multi-pronged strategy in the areas of security, development, ensuring rights and entitlement of local communities, etc.

- **Security Related Expenditure (SRE) Scheme:** This scheme has been extended by the government on **27 September 2017 as a sub-scheme of the Umbrella Scheme Modernisation of Police Forces for a period of three years till 2020**. Under the SRE scheme, the central government reimburses to the state governments of eleven LWE-affected States Security Related Expenditure of 90 districts relating to training and operational needs of security forces, ex gratia payment to the family of civilians/security forces killed in LWE violence, compensation to LWE cadres who surrendered in accordance with the surrender and rehabilitation policy of the State Government concerned, community policing, security-related infrastructure for Village Defence Committees (VDCs) and publicity materials.
- **Special Central Assistance (SCA) for thirty most LWE-affected districts:** This scheme has been approved by the government on **27 September 2017 as a sub-scheme of the 'Modernisation of Police Forces' for a period of three years**, i.e., from 2017–18 to 2019–20. The main objective of the scheme is to fill the critical gaps in public infrastructure and services, which are of emergent nature. **₹775 crore** has already been released by the Government of India to the most LWE-affected districts.
- **Special Infrastructure Scheme, along with construction of fortified police stations in the LWE-affected states:** On regular demand of the LWE-affected states, the government has approved this scheme as a **sub-scheme of the 'Modernisation of Police Forces' for a period of three years**, i.e., from 2017–18 to 2019–20.
- **Scheme of Fortified Police Stations:** The Ministry had sanctioned **400 police stations in 10 LWE-affected states**. Of these, 393 of police stations have been completed.
- **Assistance to Central Agencies for LWE Management Scheme:** This scheme has been approved by the government on **27 September 2019 as a sub-scheme of 'Modernisation of Police Forces' for a period of three years**, i.e., from 2017–18 to 2019–20. Under the scheme, an assistance is provided to Central Agencies (CAPFs/ IAF, etc.) for strengthening of infrastructure and hiring charges for helicopters.
- **Media Plan:** This scheme was approved by the government on **27 September 2017 as a sub-scheme of the 'Modernisation of Police Forces' for three years,** i.e., from 2017–18 to 2019–20. The Maoists have been misguiding and luring the innocent tribals/local population in LWE-affected areas by their so-called poor-friendly revolution through petty incentives or by following their coercive strategy. Their false propaganda is targeted against the security forces and the democratic setup. Therefore, the Centre is implementing this scheme in LWE-affected areas. Under the scheme, activities like Tribal

Youth Exchange Programmes organised by NYKS, broadcasting of radio jingles, documentaries and distribution of pamphlets, etc., are conducted.

- **Road Requirement Plan-I (RRP-I) for LWE-affected areas:** This scheme is being implemented by the **Ministry of Road Transport and Highways** for improving road connectivity in thirty-four LWE-affected districts of eight states, i.e., Andhra Pradesh, Bihar, Chhattisgarh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, and Uttar Pradesh. This scheme envisaged the construction of **5,422 km road length in LWE-affected states**, of which 4,652 km roads have been completed by 30 April 2018.
- **Road Connectivity Project for LWE-affected areas (RRP-II):** The Centre approved this scheme on **28 December 2016**, for further improving the road connectivity in 44 districts of eleven LWE-affected states. This scheme envisages **5,412 km roads and 126 bridges** at an estimated cost of **₹11,725 crores**. The **Ministry of Rural Development** is the nodal ministry for this project.
- **LWE Mobile Tower Project:** To improve the mobile connectivity in the LWE areas, the Centre on **20 August 2017** approved the installation of mobile towers in LWE-affected states and **2,335 mobile towers** have been installed in **Phase-I**. **Phase-II** of the project has been approved by the Centre, under which **4,072 mobile towers**, involving an expenditure of **₹7,330 crore**, will be installed in LWE-affected states.
- **Aspirational District:** The **MHA** has been tasked with the monitoring of aspirational districts programme in 35 LWE-affected districts.
- **Civic Action Programme (CAP):** This scheme has been approved by the Centre on **27 September 2017 as a sub-scheme of the 'Modernisation of Police Forces' for a period of three years**, i.e., from 2017–18 to 2019–20. CAP in LWE-affected areas is being implemented since 2010–11 to bridge the gaps between the Security Forces and local people through personal interaction and bring the human face of SFs before the local population. The scheme has been very successful in achieving its goal. Under the scheme, the funds are released to the CAPFs, deployed in LWE-affected areas, for conducting various civic activities in the welfare of the local people.

The **NITI Aayog** has started the **'Aspirational Districts' programme** for development in the most backward districts of India. Many left-wing-affected districts will benefit from this initiative.

Meanwhile, the **Home Ministry** has brought some changes in its CAP. It has now adopted an **'individual-oriented' approach rather than a 'project-oriented'** approach as this will help in bridging the gap between locals and security personnel more efficiently. Under the project christened **'Winning Hearts and Minds'**, the CRPF and the Border Security Force, who have till

now been spending funds on small projects and development activities which included building small bridges and roads, implementing drinking water and irrigation schemes, etc., can now spend ₹20 crore per annum, on welfare activities directed at individuals and families under the revised guidelines.

The Roshani Scheme (Ministry of Rural Development): It is a placement-linked skill development scheme targeting **50,000 rural men and women**, mostly the tribal population, in 24 worst-affected districts. It emphasises on the special efforts to proactively cover the **Particularly Vulnerable Tribal Groups (PVTGs)** on a priority basis.

5.8.2.1 National Policy and Action Plan, 2015

- **Security-related measures** include assistance to LWE-affected states by providing CAPF BUs, helicopters, UAVs, construction of fortified police stations, funds for modernisation of the State Police forces, arms and equipment, training assistance and sharing of intelligence.
- **Development-related measures:** Apart from the flagship schemes of the central government, several initiatives have been taken for the development of LWE-affected areas. These include focused schemes for the development of roads, installation of mobile towers, skill development, improving network of banks and post offices, health, and education facilities, particularly in the 35 worst-affected districts.
- **Rights and Entitlements-related Measures.**

5.8.2.2 SAMADHAN

It is a strategy of the **MHA** to frame short-term and long-term policies to tackle the LWE.

S – Smart Leadership
A – Aggressive Strategy
M – Motivation and Training
A – Actionable Intelligence
D – Dashboard-Based KPIs (Key Performance Indicators) and KRAs (Key Result Areas)
H – Harnessing Technology
A – Action Plan for Each Theatre
N – No Access to Financing

5.8.3 Administrative Hurdles in Dealing with Left-Wing Extremism

1. **Poor infrastructure**, **lack of communication** and **shortage of trained manpower** are key problems in fighting with the Maoists.

2. Due to **lack of infrastructural growth**, there is a clear **absence of routine administration** in these areas which allows the Maoists to run camps, collect taxes and extort money from all industries and infrastructure companies working in their area. Thus, the Maoists conduct a virtual parallel government. The Dandakaranya region straddles different states and gives the Maoists a distinct advantage.
3. Interstate boundaries are fissures which are being exploited by the Maoists. There is a **poor coordination** among various state police forces. The inter-state tri-junctions are the worst affected.
4. There is also a **lack of professionalism and proper understanding** between the central forces and state police.
5. Differences in the policies of the State Governments regarding surrenders, talks and policing strategy are also exploited by the Maoists. **Pressure in one state allows an easy movement into another**. It occurred during Operation Greyhound which was very successful in Andhra Pradesh. It almost eliminated the Naxalites in the state, but they made an easy escape to the adjoining states like Chhattisgarh, Maharashtra, and Odisha. Had the operation been supported by all these states at that time, Naxalism would at least have been eliminated in the Dandakaranya region.
6. Besides this, since many **rebels are recruited** from among the tribals, they have a built-in advantage over the security forces. Even though the government forces outnumber the rebels and have greater resources at their disposal, they frequently fall prey to devastating attacks in remote areas.
7. The **State Police is poorly equipped and trained** and is short of manpower, while the Central Forces apparently lack commitment and motivation.

5.8.3.1 Strengths of Maoists

(a) Public support (eyes and ears)
(b) Familiar with terrain (jungle terrain). Effective navigation skill during day and night
(c) Effective cross-country mobility
(d) Tough, agile with hunter's instinct and highly motivated
(e) Adept in snatching arms and ammunition from the security forces
(f) Skilful in preparing and employing traps and IEDs

5.8.3.2 Constraints of Security Forces while Fighting Maoists

(a) Living and fighting in an unfamiliar terrain and in a relative inhospitable condition
(b) Uncertainty of when, where, and how the next action will occur
(c) Observation of the aftermath of atrocities of the Naxals

(d) Difficulty to distinguish the Naxalites from local population
(e) Prolonged separation from the families or perceived neglect of the families
(f) Encountering IEDs and getting ambushed

5.9 Way Forward

Naxalism is not merely a law-and-order issue. The phenomenon of Naxalism is directly related to under-development. It is not a coincidence that the tribal areas are the main battleground of LWE today. Exploitation, artificially depressed wages, inadequate employment opportunities, lack of access to resources, under-developed agriculture, geographical isolation and lack of land reforms all contribute significantly to the growth of the Naxalite movement. All these factors need be taken into consideration as we evolve solutions for facing the challenge. History tells us that the masses do not want to associate with violent people. They are generally peace-loving. It is only due to circumstances that they are forced to adopt a path of violence.

Naxalism is not the problem; rather it is the symptom of a problem. Why does Naxalism not flourish in the markets of Gujarat, the fields of Punjab or in the IT parks of Gurgaon and Hyderabad? Why is Maoist ideology succeeding in Nepal when it is failing in China? The answer is obvious. In the places where the LWE succeeds, the people are relatively poor, they face oppression from various segments of society and the government is indifferent to their plight with little prospects of things getting better in the future. LWE fails when the reverse is true.

To eliminate Naxalism, it is not enough to eliminate their leaders, imprison their rank and file or arrange for mass surrenders of people and weapons. You do all of that and you can still fail; new leaders will rise; the cadres will return, and weapons are easy enough to get.

To truly eliminate Naxalism, we must undercut their *raison d'être*, their reason for existence. While their methods may be abhorrent, most of their goals (apart from overthrowing the government) are not. Therefore, the government must fulfil their goals for them. If they have nothing to fight for, they will not fight.

Electricity and running water are virtually non-existent in remote areas of the Red Corridor. The absence of basic necessities has produced opportunities for the Naxalites to provide services to local residents, such as irrigation systems. The infrastructure that does exist has long been a target of the Naxalites: power plants, schools, and phone and rail lines have all been attacked. This gives credence to the Centre's assertion that security needs to be established before development can arise. This is a contentious issue among the affected states, which argue that the Naxalites would be able to attract fewer new recruits if basic needs are met on a more acceptable basis.

The fight against Naxalism should to be long and persistent. There must be a **multi-pronged composite strategy** to deal with it. Developmental initiatives should follow security forces' action closely. Otherwise, the success of security operations will not sustain for long.

We can **broadly divide the strategy** as follows:

5.9.1 Development Strategy

The **following steps should be taken** to wean away the masses from the influence of Naxalism:

1. Special focus on **political security** and accelerated **socio-economic development** in a holistic manner.
2. **Better infrastructure** like roads, electricity, and communication in core Naxal areas. For implementing large infrastructure projects, particularly road networks that are strongly opposed by the extremists or are used to extort funds from local contractors, the use of specialised government agencies like the Border Roads Organisation in place of contractors may be considered as a temporary measure.
3. Political parties must **strengthen their cadre base** in the Naxal areas so that potential youth can be weaned away from the path of Naxal ideology.
4. **Affirmative action** by state.
5. **Decentralisation** and participative democracy.
6. **Coordination** among different departments of state to ensure holistic development.
7. **Coordination** between police and different state departments.
8. **Coordination and implementation of schemes** of different central ministries, especially the Integrated Action Plan for 82 districts and Road Requirement Plan for 34 districts.
9. **Coordination and implementation of various development schemes**, flagship programmes and distribution of titles under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, in LWE-affected states.
10. Special efforts are needed to **monitor the implementation** of constitutional and statutory safeguards, development schemes and land reforms initiatives for containing discontent among sections vulnerable to the propaganda of violent left extremism.

5.9.2 Security Strategy

Those who are hardcore ideologues and whose only purpose is to overthrow the state have to be dealt sternly with the **bullet-for-bullet** policy. We should wean away peace-loving common people from the hardcore Naxalites as these people do not want development. They use underdevelopment and

governance deficit as a means to achieve their selfish goals. Operation Greyhound of Andhra Pradesh has shown a professional way to handle the Naxal menace.

Some broad points of the security strategy are given as follows:

1. **Professional dominance** by the security forces.
2. **Centre–State cooperation:** The Centre and States should continue with their coordinated efforts where the Centre should play a supportive role with the state police forces taking the lead. Primacy of the state police at all levels augmented the state police strength, upgradation and capacity building of local state police.
3. Increasing the number of **security forces** in the strongholds of the Naxals.
4. Local **police infrastructure** should be developed with more thanas, chowkis, posts and battalions. Thanas and chowkis should be strategically located and well functional.
5. **Modernisation** of weapons and technical equipment.
6. **Improvement** of communication systems and electronic surveillance systems.
7. **Special training** to police personnel.
8. Formation of specially trained, **special task forces** on the pattern of the Greyhounds in Andhra Pradesh.
9. Special emphasis on strengthening of **local intelligence units** of the affected states.
10. Since it is an inter-state problem, the states should adopt a collective approach and pursue a **coordinated response** to counter it.
11. **Promote local resistance groups** on lines of VDCs in Jammu and Kashmir.
12. **Inter-state police coordination,** especially in the Dandakaranya region.
13. Better command, control and coordination between the **State and Central forces**.
14. Tightening of **control on availability** of explosives.
15. Posting of **competent and motivated police officers** in LWE-affected areas and subsequent incentives for choice postings and suitable reward packages.

5.9.3 Psychological Operations

The **following measures** should be implemented:

1. **Build trust:** Winning a psychological war against the Maoists remains an unfinished task. To bridge this trust deficit, civil society must join hands with the government in realising the villagers' right to development.

2. Effective and persistent **psychological operations** must be launched to delegitimise the movement.
3. **Media and public** perception management.
4. Administration to **engage with public** at large, civil society and NGOs to restore people's faith and confidence in the government machinery.

5.9.4 Other Measures

The following measures should **additionally be implemented**:

1. **Choke funding:** The nexus between illegal mining/forest contractors and transporters and extremists which provides the financial support for the extremist movement needs to be broken through establishment of special anti-extortion and anti-money laundering cell by the state police. The doors for peace talks should always be open.
2. There should be a genuine attempt to **win the hearts and minds** of the people.
3. **Time-bound conviction** of arrested cadre must be ensured through vital reforms in criminal justice system.
4. **Effective surrender and rehabilitation policy** ensuring proper safety and care of their families.
5. Better **adherence to the law** legislated for protection and development of tribals.

5.9.5 Success Stories in the Fight Against Naxalism

1. Story of Sandesh (Bihar)

The Sandesh block in Bihar has seen a gradual elimination of Naxalites. Sandesh comes under the Bhojpur district. There are eleven panchayats under the block. A grassroots view of the end of Naxal dominance in panchayats of the Sandesh block would be illuminating. Naxalism in Bihar started from two blocks of Bihar. Sandesh was one of them. The other adjoining block was **Sahar**. The most important factor which proved instrumental in dismantling Naxal dominance was the panchayat elections initiated in Bihar. In the panchayat elections of 2000, six panchayats had Maoist *mukhiyas*. The second panchayat elections were held in 2006. It was the first important signal of the growing unpopularity of Maoists in the villages. It also created a significant distance between the Maoist leaders and the local community. The process of social cohesion against the Maoists started in many panchayats of the Sandesh block. This new attitude of the social order forced sympathisers of Naxalites to mend their ways or leave the villages. Social pressure forced many Naxalites to switch over to farming and shed off their association with Naxal outfits. **Gradually, the Sandesh block grew relatively free from Naxal violence.**

2. Aasdwar Project in Jehanabad (Bihar)

There are many initiatives started by the **Bihar government to curb the Naxal movement** in the Jehanabad district which remained in the news for Naxal violence for more than two decades. One such is the **Aasdwar Project** in the Jehanabad district. The scheme is currently underway in **five Naxalite-affected panchayats** of the district. These are Sikariya, Sewanan, Mandebigha, Surungpur-Bhawanichak and Jamuk, all in the Sadar block. The villages under these five panchayats are witnessing a flurry of development activities on a war footing. The state government has come out with a **liberal package of welfare schemes under Aasdwar**, including construction of cement lanes, drains, chaupals and link roads worth **₹29 crore**.

Other works include construction of buildings for schools and Aanganwadi centres, culverts, and individual toilets. The Centre has also taken some affirmative action in respect of **forest rights (Forest Act 2008), displacement (R&R Policy), livelihoods (NREGA)**, etc. The people, at large, seem to have embraced the state's Aasdwar programme in a big way. So, as this case study amplifies, Naxalism can be defeated and eliminated by the process of development and a new social order, but the change has to come from within.

3. Andhra Pradesh Greyhounds Model

Andhra Pradesh had shown a model for controlling Naxalism. Though the **'Greyhounds'** Naxal fighting force was its main element, infrastructure development and effective surrender and rehabilitation policy have also proved effective. The model was so successful that all the Naxalite leaders were forced to leave Andhra Pradesh and try new hideouts in Odisha, Chhattisgarh, and Maharashtra.

Key elements in the Andhra Pradesh model:

- Effective surrender and rehabilitation policy
- Culture of police leadership
- Infrastructure development
- Sound knowledge of local terrain
- Grassroots involvement in anti-Naxal operations
- Incentives to police for good work
- Superior intelligence, coordination and assessment
- Operations based on local intelligence

5.10 Key Issues

5.10.1 Intellectual Support to Naxalism

Influential intellectuals regularly support Naxalism in the name of advocating an egalitarian society, human rights, and tribal rights. They condemn the

security forces for human rights violation but surprisingly adopt a noble silence when Naxalites brutally kill security forces, politicians, and common people. It clearly reflects their double standards. They should also understand that use of violent means cannot be supported to achieve a noble cause in a democratic set-up. Although, it has become a disturbing fact that resorting to violent agitation is the preferred strategy for aggrieved citizens to articulate their grievances as compared to the constitutional methods of democratic agitation. Rather than supporting Naxals blindly, these intellectuals should encourage Naxals to fight elections, to join mainstream society and to learn the art of give and take of democratic bargaining without aggression. Instead of supporting the violence by Naxals blindly, intellectuals should also condemn Naxals' opposition of developmental projects in the underdeveloped areas.

The recent JNU issue is also related to the above discussion. Candidates are advised to take a balanced view and not support Naxal violence in any way as it is against the Constitution and against democratic means.

5.10.2 What Was the Salwa Judum and Why Did it Fail?

The **Salwa Judum** was a movement in the **Bastar area of Chhattisgarh** which assumed the form of mass movement against the atrocities committed by the Naxalites. It literally means the **'collective problem-solving platform'** and it gained momentum because people got fed up with Naxalite intimidation and extortion. The administration claims that it was spontaneous, peaceful and a voluntary case of public uprising against the Maoist movement. The Naxalites never wanted the Salwa Judum movement to succeed in Bastar because they were hounded by the 'Greyhounds' force of Andhra Pradesh and Bastar was its biggest bastion. They established their people's government in the Dandakaranya Zone (which is a cluster in the remotest corner of the five adjoining states of Chhattisgarh, Odisha, Andhra Pradesh, Madhya Pradesh and Maharashtra). This is an area of immense strategic and geo-political importance for the Naxalites. They **adopted a few counter-strategies against the Salwa Judum**. **Firstly**, the leadership of this movement was branded anti-people and some key leaders were executed. Secondly, the entire propaganda machinery in favour of the Naxalites was ordered to throttle the Salwa Judum movement in its infancy. **Soon**, the movement was discredited on many counts. It was shown that it was a proxy police movement, and the police was recruiting children forcibly. It is believed that in 2006, more than hundred villagers involved in the movement were killed by the Naxalites. **Finally**, in **May 2013**, senior Congress leader **Mahendra Karma**, who had supported the movement, was killed mercilessly. Surprisingly, the so-called human rights activists and intellectual supporters of Naxalites were silent on this killing. With no support from any quarter to counter this propaganda, the Salwa Judum movement was quashed in its infancy.

Far from being a solution, the Salwa Judum caused more problems than it solved. Levels of violence increased, and there were gross human rights violations. The **Supreme Court banned the Salwa Judum**, arguing that the responsibility of protecting the people was the responsibility of the Indian State. The State cannot give up that responsibility by simply giving arms to the people and asking them to fight for their own security.

5.10.3 Should the Army be Deployed Against the Naxals?

The Army is trained to fight against an enemy country. **Fighting with our own people is not the job of the Army**. In fact, the Army is employed to protect its own people. It would be very difficult for the Army to distinguish innocent people from hardcore Naxalites. **The Army is a symbol of national pride**. We must ensure that the image of the Army is not affected. So, Naxalism should be fought by the police and other paramilitary forces.

Also, a **complete armed solution is not the only answer to Naxalism**. We should give more emphasis on effective administration, development, and growth of the affected areas. As of now, it is not advisable to deploy the Indian Army against Naxals. However, an air support from the Army can be taken not for air strikes but for evacuation, supply, medical aid, etc.

Probable Questions Based on This Chapter

1. Should the Army be deployed in LWE-affected areas? Justify your answer.
2. How much intellectual support to Naxalism is justified?
3. What are the basic features of Operation Greyhound?
4. What are the aims and objectives of Naxalites? Are they really the messiahs of the downtrodden as they claim to be?
5. What are the factors responsible for the rise of Naxalism?
6. Naxalism is the outcome of the failure of governance. Justify your viewpoint.
7. Jal Jungal Jameen is the root of the Naxal problem. Elaborate the statement.
8. Tackling Urban Naxalism is equally important in the fight against Naxalism. Explain.
9. Analyse the impact of government policies adopted in last ten years to solve the Naxal problem.

Chapter 6

Linkages between Development and Spread of Extremism

The former UN Secretary General Kofi Annan once proclaimed, **'No one in this world can be comfortable or safe when so many people are suffering and deprived'**. Therefore, suffering and deprivation due to under-development are bound to have implications on issues of internal security.

Simply speaking, there are several areas in the country where crucial elements of survival, like food, shelter and clothing, are a luxury for people, and these areas also lack basic infrastructure like roads, drinking water and electricity. In such cases, there is an economic insecurity leading to crime and other anti-social activities.

6.1 Major Components of Development

Major components of development include the following:

1. **Economic development:** Employment, per capita income, industrial development
2. **Social development:** Gender equality, women empowerment, pluralism, respect for diversity, education of children, social security, etc.
3. **Political development:** Democracy, political rights, civil liberties
4. **Human development:** Health, education, human rights, life with dignity and self-esteem
5. **Infrastructure development:** Transport, communication, highways, rail network, telephone connectivity, cyber broadband network
6. **Sustainable development:** Ecological safety, environmental protection, biodiversity preservation
7. **Administrative development:** Good governance, time-bound delivery of public services, public participation in government, transparency, accountability, pro-people governance

An imbalance between different components of development can lead to problems and even extremism.

For example, in tribal areas, if development is only understood as the opening of mines and development of roads/rails, without investing in social infrastructure such as building hospitals and schools, the tribals may feel exploited. This feeling of anger and neglect may be used by the Naxals to recruit tribals into their fold.

6.2 Factors Responsible for the Spread of Extremism

The **factors responsible for the spread of extremism** are as follows:

1. **Jal Jangal Jameen:** Disruption of the age-old, tribal–forest relationship, violation of traditional land rights, land acquisition without appropriate compensation and rehabilitation
2. **Economic:** Unemployment, poverty, infrastructure deficit like poor transport, lack of health facility, lack of education, communication and electricity, rising gap between the rich and poor
3. **Social:** Social inequality, discrimination, denial of human rights, abuse of dignity of life
4. **Political:** Lack of people's participation in the government
5. **Governance deficit:** Lack of routine administration, complete absence of the government machinery in remote areas, poor implementation of laws, mismanagement and corruption in the government schemes
6. **Ethnic:** The extremists use ethnicity to their advantage to spread hatred against the state
7. **Geographical**
8. **Historical**

The **first three factors** are development deficit related factors that directly cause extremism. The **fourth and fifth factors** are not the root causes but give impetus to the already existing extremist feelings and are thus, used by the extremists to propagate their nefarious designs. The **sixth, seventh and eighth** are not related to development at all, and they have their roots in history, geography and ethnicity and have been explained in detail in earlier chapters.

6.2.1 Development-linked Factors Applicable to India for the Spread of Extremism

For terrorism to grow in a particular area there needs to be some fertile breeding ground. Poverty, unemployment and lack of development provide that fertile ground. Terrorism needs an ideology which could be in the name of religion, race and region or the Marxist ideology of egalitarian society. Combined with the fertile ground and ideologies, lack of administration resulting in governance deficit along with the political factors is used by hardcore ideologues to brainwash and radicalise the youth. Therefore, lack of development has direct as well as indirect linkages with extremism.

1. Jal Jangal Jameen Issues (Disruption of Age-old Relationship)

Tribals may feel alienated if a specific model of development is imposed upon them, without their consent. Such an imposition of 'modern' model of development upon 'primitive' tribals is one of main factors why Naxals are able to garner support from the tribals of Central India.

For centuries the tribals have had a natural co-existential relationship with their natural habitat, i.e., forests. But modern legislations and governance in the last century considerably altered this age-old relationship. The **Forest Act, 1927** and the **Forest Conservation Act, 1980** along with stringent Supreme Court orders and developmental activities like mining, power projects and industrialisation have taken away the sources of their basic livelihood. The most important being the Forest Conservation Act, 1980. As per the Act, their traditional rights have been curtailed and they can no longer make a livelihood out of their habitat (forests). As a result, their old livelihood has been taken away and has not been replaced by the fruits of new development. They have access to neither the basic infrastructure (transport, communication and electricity) nor the consequent economic development which could provide them employment and help them to get rid of poverty. This has resulted in a feeling of despair and deprivation among the tribals. Therefore, they are vulnerable to recruitment by extremist ideologues. They should have been given a fair share in profit and royalty of mining and industries. The tribal population has thus been fertile ground for recruitment for left-wing extremists. Coupled with poor governance and other social and political factors, they have easily been converted into hardcore followers of the Naxalite movement.

2. Economic Issues

Poverty, unemployment and lack of education continue to be portrayed as **fundamental drivers of extremism**. Poverty and unemployment are often blamed for creating feelings of hopelessness and desperation. Poor economic conditions foster lack of opportunities, resulting in a limited number of options for gainful employment. The unemployment pushes the youth towards the lure of extremist ideas. It is not surprising that the hotbeds of terrorism today – Afghanistan, Yemen, Somalia, Pakistan, Indonesia – happen to be some of the poorest and most corrupt countries in the world. Poverty and unemployment resulting in anger, resentment, despair and sense of injustice are a volatile combination in the minds of young men and women. These young minds can be manipulated to pick up arms. Individuals from the higher income groups of society are more likely to have a range of economic activities available to them and are less likely to engage in terrorist activities. High levels of unemployment and higher gap between the rich and the poor, also increase the potential for terror organisations to recruit educated, unemployed youth, who are capable of carrying out more effective and brutal attacks.

3. Social Issues

High levels of social fragmentation, perception of exclusion and marginalisation in some segments of society act as push factors for extremism. Relative deprivation and frustrated expectations for economic improvement and social mobility are also major drivers of extremism.

'In the North-Eastern region of India, many tribals support the cause of extremism because they feel their cultural identity is under attack, due to migrants from other parts of the country or from outside the country'.

4. Political Issues

Political factors are also an **indirect cause for spread of extremism**. In places where human rights and democratic values are lacking, disaffected groups are more likely to opt for a path of violence. Extremism also flourishes due to severe restrictions on civil liberties and political rights. Civil liberties includes the freedom of expression, association, movement and the press; freedom of, and from, religion; the right to due process; protection for individuals against unwarranted use of the state power; and protection for minorities against potential encroachment on their fundamental rights that may result from majority rule. **Political rights** refer to the existence of rules and mechanisms (e.g. free and fair elections) that enable individuals and communities to affect governmental decision-making, and to participate in political processes more generally. These political factors are used by the terrorist groups to brainwash educated and unemployed youth to their ideology.

5. Governance Deficit

Ungoverned or poorly governed places may enable extremists to establish sanctuaries or safe havens. Poorly governed places may also create passive or active support for the extremists among communities that feel ignored by the government. Where no government agency is able to provide for security and the rule of law, the extremists may be able to impose their own orders, and they may be able to extract money or recruit from the population.

Regarding the link between extremism and governance, **stable democracy** manages conflicts effectively by being open to political feedback about what is not working in the country, and by responding with remedial measures. But unfortunately, in India, over the years, the government has not been proactive in this regard. It ignored the legitimate grievances of the tribals of the North-East and Dandakaranya region. A society that does not respect the principles of good governance; that is, not transparent or accountable, and that does not respect the rule of law, finds it difficult to achieve sustainable development. Because the link between good governance and conflict is apparent, development is also tied to conflict and terrorism. Good

governance is necessary to achieve sustainable development and to avoid, or at least manage, conflicts including terrorism.

6. Tri-junction Theory

According to this theory, the areas situated around the tri-junction of borders of three states have the problem of governance deficit. These areas lack transport, communication and other infrastructure. **Dandakaranya – the worst affected Maoist area in the country is a perfect example of the tri-junction theory.**

Conclusion: Terrorism has to have some basis, some ideology or some utopian goal so that a romantic illusion can be created in the minds of some sections of people, especially the younger generation. Sometimes, they use genuine issues like poverty, unemployment, etc., as a tool to attract the masses to their cause. Many well-meaning, liberal intellectuals fall prey to their propaganda without understanding the true nature of their doctrine, which glorifies violence and believes in annihilation of all the people who are not with them. Sometimes, they create false issues to consolidate their support base. But the underlying factor which fuels these movements is the visible lack of economic and social development. This is the basis of the insurgency movements in the North-East or left-wing extremism in the country.

However, **the link between extremism and underdevelopment is not universal. Jammu and Kashmir is an example where extremism is not because of underdevelopment but is due to historical and geographical reasons.**

6.3 Positive Impact of Socio-Economic Development on Reducing Extremism

Social and economic development policies can contribute to **peace and stability**. The sections of society benefitted with development may start working to inhibit local support to the extremists. It can discourage terrorist recruits. Many terrorist organisations attract new members from the communities in which terrorism is generally considered a viable response to perceived grievances. Some terrorist groups also offer the recruits financial incentives and additional family support. Social and economic development policies can help to reduce the pools of potential recruits by reducing their perceived grievances and providing the members of these communities with viable alternatives to terrorism. The ability of development policies to curb terrorism depends on their implementation. **The most successful social and economic development policies are those that are:**

1. developed in consultation with community leaders
2. based on needs and assessments that address the specific requirements of targeted communities and

3. accompanied by disbursement mechanisms that ensure proper fiscal management and non-partisanship.

Social and economic development policies can be used as a 'stick' to discourage terrorism. Development assistance can be made conditional on the absence of violence, thus, discouraging support for terrorists.

We have successful examples of Tripura, Mizoram and other parts of the North-East where the spread of extremism ideology has been contained after robust and holistic development of these areas.

6.4 Constitutional and Legal Safeguards for Tribal Population

1. The **Fifth Schedule** states briefly, that all scheduled areas of the country which are forest reserves and inhabited by Scheduled tribes, are to be administered by the Governors of the states by appointing tribal advisory councils from among the tribal community of a particular forest reserve or a scheduled area. But this has not occurred in India. In this vacuum, These forests have been leased for mining, thereby, displacing the tribal communities.
2. The **Ninth Schedule** of the Constitution deals with the fact that cultivable land which over thousands of years had come under the ownership of upper castes, should be acquired by the government and redistributed among India's landless peasantry. Since land revenue was a state subject, the states were to legislate land ceiling laws and implement them by acquiring farmlands from the landlords and redistributing them to landless farmers who for centuries worked on the lands of the landowners. Only three states, erstwhile state of Jammu and Kashmir, West Bengal and Kerala, implemented the land ceiling laws legislated by all the states by 1955. In West Bengal, the *jotedars* – as the landlords are called there – tried to manipulate the land records and deceive landless farmers and the government. This resulted in an uprising in a village called Naxalbari led by the Communist Party of India, Marxist-Leninist (CPI-ML), a faction of the Communist party. In Kerala, land ceiling was successfully implemented in the non-hilly districts and this has prevented the Maoist Naxalites from organising a revolution there.
3. Politically, the **PESA (Panchayats Extension to Scheduled Areas) Act, 1996** gives radical governance powers to the tribal community and recognises its traditional community rights over local natural resources. It not only accepts the validity of 'customary law, social and religious practices, and traditional management practices of community resources' but also directs the State Governments not to make any law which is inconsistent with these. Accepting a clear-cut role for the community, it gives wide-ranging powers to Gram Sabha, which had hitherto been denied to them by the lawmakers of the country.

The ground reality, however, is still quite different and PESA has mostly been reduced to a paper tiger. The two fundamental responsible factors are the mindset of the government functionaries who are contemptuous of the tribal community and the existing State Government laws and provisions that negate the PESA Act.

The PESA Act is for rural areas, but a similar legislation for urban scheduled areas was never debated and enacted. The State Governments are taking advantage of this to give speedy clearances to mining and industries in tribal areas. Their modus operandi is simple: they upgrade rural panchayats in scheduled areas to urban panchayats to bypass PESA which mandates village council's approval for such projects.

In the past few years, more than 600 village panchayats, many of them in scheduled areas, have been converted into urban local bodies, and these areas have major industrial investment proposals.

4. **Forests Rights Act, 2006** recognises and vests the forest rights of occupation to the Scheduled Tribes and other traditional forest dwellers who have been residing in such forests for generations but whose rights could not be recorded. The Act is an important instrument for improving the livelihoods of people dependent on forests by securing the land rights. Before this Act came into force, there were nearly forty lakh tribal people not possessing legal status to their lands. 'The full benefits of Forest Rights Act cannot be enjoyed by the tribals on the ground as of yet. This is because it is the Forest department which administers the FRA and tribals often complain of the forest department's "anti-tribal mindset"'.

   Some of the major concerns regarding implementation of this Act are related to high rate of rejection of claims, very little progress in the recognition of community rights and habitat rights of Particularly Vulnerable Tribal Groups (PVTGs), convening of Gram Sabha meetings at the Panchayat level, insistence of particular form of evidence, claimants not being informed about rejection of claims and inadequate awareness.

5. **Prevention of Atrocities on SC/ST Act, 1989** was brought into force with effect from 30 January 1990 with the main objective 'to prevent the commission of offences of atrocities against members of the Scheduled Castes and the Scheduled Tribes, to provide for Special Courts for the trial of such offences and for the relief and rehabilitation of the victims of such offences and for matters connected therewith or incidental thereto'.

6. **New Land Acquisition Act, 2013 (The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013)** regulates land acquisition and provides laid-down rules for granting compensation, rehabilitation, and resettlement

to the affected persons in India. The Act has provisions to provide fair compensation to those whose land is taken away and bring transparency to the process of acquisition of land to set up factories or buildings, infrastructural projects and assured rehabilitation of those affected. The Act establishes regulations for land acquisition as a part of India's massive industrialisation drive driven by public–private partnership. The new Land Acquisition Act is a pro-people and progressive piece of legislation. However, many State Governments have diluted provisions of this Act, in order to attract private investors and foreign companies. In an attempt to increase the 'Ease of doing Business', the rights of tribals and farmers are being sidelined.

6.5 What Should Be Done?

Our mission should be to end the left-wing extremism by ending extreme poverty and rampant unemployment. Anger, resentment and despair are a volatile combination in the minds of young men and women who see little hope of escaping their situation. The goal of development is to eradicate poverty and promote inclusion and social justice, to bring the marginalised into the economic and global mainstream. Building of capacity is the essence of development and is a long-term process.

The following are some of the steps required:

1. **Sensitisation** to local context and customs, and **addressing** the critical needs of conflict-affected communities
2. **Giving more emphasis** to topics like community development, governance, service delivery, human rights and political grievances
3. **Effective implementation** of protective legislation
4. **Intense dialogue**, so as to arrive at conclusions
5. **Improved infrastructure** and large investment in infrastructure
6. **Protecting tribal rights**
7. **Employment opportunities** through tax holidays to investments in those areas
8. Ensuring social **security**, livelihood security
9. **Food security and education**
10. **Land reforms** and equitable distribution of infrastructure projects
11. **Constructive dialogue** with extremists
12. **Prosperity** for all people
13. **Anti-corruption efforts**
14. **End of** political marginalisation, social discrimination, cultural humiliation, violence by state functionaries, human rights abuses and social oppression
15. **Ensuring minimum wages and proper implementation** of labour laws

Communal Violence

Chapter 7

7.1 Secularism — Indian Context

India is a multi-religious, multi-ethnic and multi-cultural pluralist society. Unity in such diversity is the uniqueness of Indian society. The Indian Constitution is a precious document of lasting value that preserves the composite culture and promotes the essence of Indian polity. The Constitution through its Preamble, Fundamental Rights and Directive Principles has created a secular state based on the principle of equality and non-discrimination. The Supreme Court has included 'secularism' in its doctrine of basic structure which cannot be amended even by the Parliament.

The Indian model of secularism means equal treatment and equal respect for all religions by the state to endorse communal harmony and religious tolerance. It is derived from the doctrines of 'Sarva Dharm Sambhav' and 'Sarva Dharm Sadbhav'. Unlike the western model of secularism, which envisions complete separation of religion and state, the Indian model is based on non-discrimination and equal participation by the state in all religions.

7.2 Historical Background

The seeds of the present communal violence were sown in the aftermath of the freedom struggle and the partition. The partition of Bengal on communal lines by Lord Curzon in 1905 can be considered as an attempt by the British to communalise the Indian society and the political structure. The formation of Muslim League in 1906 and the introduction of separate electorates on communal lines in 1909 through the Morley-Minto reforms and the creation of Hindu Mahasabha in 1915 are believed to be the beginning of modern-day communalism in India. The two-nation theory adopted by the Muslim League led to the division of this country into two separate sovereign nations. The partition resulted in displacement of nearly fourteen million people along with estimated loss of life of 2-3 million people. The violent nature of the partition created an atmosphere of mutual hostility and suspicion between the Hindus and Muslims.

After the partition, India has seen recurrent communal riots in different parts of the country. A rise in fundamentalist feelings occurred due to the **Shah Bano case in 1986** and **Ayodhya events of the 1990s**. On one hand, there was a growing feeling of fear among the Muslims. On the other hand, the Hindus opposed the so-called pseudo-secularists and appeasement policies of successive governments. After 1992, post-Ayodhya riots spread almost all over the country. Mumbai even witnessed bomb blasts. Again, the Godhra and post-Godhra riots of 2002 further disturbed communal harmony in the country. In 2013, communal clashes in Muzaffarnagar and adjoining districts of Western Uttar Pradesh have further vitiated the atmosphere. The Ministry of Home Affairs' data on communal violence nationwide revealed that there has been a decline in communal incidents from 2008 till 2011, but a sharp increase was recorded in 2012 and 2013. The year 2013 saw more deaths due to communal riots than the entire three-year period of 2010–2012. Uttar Pradesh alone accounted for thirty-five per cent of the communal incidents across the country in 2013.

Recent years have seen a growth of both Muslim and Hindu chauvinistic organisations. Though Indian Muslims have, by and large, resisted continuous efforts at radicalisation, but due to political and criminal exploitation of communal sentiments, fringe elements within the Muslim community remain vulnerable to mobilisation, recruitment and radicalisation by hostile anti-India forces that have always been looking to wage a proxy sub-conventional war against India.

7.3 Factors Responsible for Communal Riots

The **following factors are responsible** for communal riots.

1. **Historical factors:** The history of partition and the two-nation theory, have generated a deep sense of communalism and lack of mutual trust among both the communities. It discouraged a harmonious association and peaceful co-existence.
2. **Political factors:** Divide and rule policy practised by the British and the subsequent vote-bank politics followed by Indian political parties after Independence have added to the divide between the communities. Lack of liberal, progressive and modern attitude in both communities has also weakened the cause of communal harmony.
3. **Educational factors:** There is a lack of modern education among a large section of the Indian society. A majority of Indians failed to adopt a scientific and technological approach and hence, are reluctant to adopt liberal, progressive values.
4. **Socio-economic factors:** Due to their educational backwardness, Muslims have not been represented sufficiently in public services, industry and trade, etc. Their economic status is very low, which causes

the feeling of relative deprivation, and such feelings contain the seeds of communalism.

5. **Psychological factors:** Psychological factors play an important role in the development of communalism. Both communities have perceived grudges against each other. There is a sort of fear psychosis amongst Muslims, leading to communal ill-feelings. Muslims feel that Muslim youth is falsely arrested in anti-terror cases. This was the case in the Malegaon Bomb blast case and many other cases. Thus, Muslims have grown fearful of the state institutions.
6. **Identity crisis or identity factors:** There is a feeling that Muslims are reluctant to join the national mainstream. Most of them do not enthusiastically participate in secular nationalistic politics and insist on maintaining their separate identity.
7. **Cultural factors:** Orthodox members of both communities feel that they have a distinct entity with their own cultural pattern, personal laws and thought processes. There are strong elements of conservatism and fundamentalism among both the communities.
8. **ISI factor:** It is widely believed that the ISI is directly encouraging and promoting communalism by instigating hard-core fundamentalist elements of the Indian Muslim community. It is also believed that vulnerable youth are trained by the ISI to destabilise India's internal security by spreading communal venom.
9. **Influence of international Pan-Islamic jihadi movements:** Pan-Islamic movements have also been mobilising anti-India jihadi sentiments in the context of the Kashmir issue and the Gujarat riots.
10. **Demographic factors:** Demographic changes in Assam, West Bengal and the Kashmir Valley create opportunities for manipulation of communal sentiments for short-term political objectives.
11. **Social media factors:** Negative impacts of social media in spreading rumours, disinformation, hate campaign and fanning violence.
12. **Organised criminal involvement:** Underworld criminals like Dawood Ibrahim, Chhota Shakeel, etc. are believed to have a key role in acting as agents of vested interest in instigating communal riots. There is also a lack of political and social consciousness towards building a harmonious, coexistent society. We also need to build a nationalistic consciousness where the nation is above everything else.
13. **Lack of strong action:** Lack of strong and decisive action by police and allegations of biased or delayed action by them are also a cause. Real perpetrators are rarely punished and there is a lack of fear of law that could prevent them from instigating communal riots.

7.3.1 Immediate Flash Points for Riots

There are many causes why communal riots flare up. Some of them are discussed below.

1. **Gender offences:** Offences like sexual harassment, rape, elopement with girls/boys of other community has also given rise to the hostility. Hindu organisations attribute such elopement and marriages as part of a conspiracy, namely 'love jihad'.
2. **Land disputes:** Disputes over the ownership of land belonging to graveyards, construction of new places of worship, unauthorised constructions, claims and counterclaims over old constructions at places of worship as well as demolition.
3. **Religious festivities:** During celebration of Holi, Eid, Muharram, etc., many local disputes arise between the two communities which have a potential to flare up.

7.3.2 Fake News

Fake news is a **deliberate lie, or a half-truth** circulated with the intention to mislead or cause harm to a section of people. The fake videos currently circulating in the Kashmir Valley (originating from both sides) show gruesome attacks on the Army as well as inhuman repression of civilians to rouse passion and inflame a communal atmosphere. With the arrival of the new and highly sophisticated fake videos, the situation can quickly go out of control and lead to large-scale mob violence including mob lynching.

7.3.2.1 Measures to Combat Fake News

(i) **Robust surveillance and compliance mechanism** to be applied on the content accessible to people. Sources of news should be verified.

Reporting: People should have the opportunity to report illicit content through flagging, and definite steps should be taken to check its credibility. Stakeholders involved in this should be scrutinised.

(ii) **Social media** can also be used to increase the awareness in people to ensure equality, end of discrimination on any grounds and ensure harmony.

(iii) It should be the **ethical responsibility** to work in close connection with the concerned authority and share data at the times of crisis for reasons of national security and public order.

7.3.2.2 Government Steps

In the wake of fake news spread over WhatsApp, the government has been pushing WhatsApp to find a **technology solution to trace the origin of messages** that can help in curbing crimes like mob lynching emanating from fake news.

WhatsApp has responded to the government's response by bringing in few new features to control the damage done by fake news.

7.3.3 Mob Lynching

Lynching is a form of violence in which a mob, under the pretext of administering justice without trial, executes a presumed offender, often after inflicting torture and corporal mutilation. The term lynch, law refers to a self-constituted court that imposes sentence on a person without due process of law.

7.3.3.1 Supreme Court (SC) Guidelines Regarding Mob Lynching

1. The Supreme Court orders state to designate an **officer of SP rank as a nodal officer** in every district to prevent mob violence.
2. Centre, states to broadcast radio, TV and **online messages and warnings** that lynching and mob violence shall invite serious consequences.
3. An **FIR** must be registered against persons spreading such fake/ irresponsible messages.
4. Police or district administration's failure to comply with the SC directions will, be **deemed deliberate negligence**.
5. The state to draw up a **compensation scheme for lynching** with provision for interim relief to victim next of kin within thirty days.
6. Lynching cases to be tried by the **fast-track courts** in each district and preferably concluded in **six months**.

7.3.3.2 Recent Incidents of Tripura

Three separate lynching cases were reported from Tripura – all on the suspicion of being child abductors. The incidents took place in three different districts of Tripura. The victims were a woman, a hawker from Uttar Pradesh and a man hired by the Tripura Government to fight rumour mongering.

Following the incidents of lynching, Tripura DGP A. K. Shukla said, *It has been noticed that SMS, WhatsApp and social media platforms such as Facebook, Twitter and YouTube are being widely used for transmission of fake images and videos as well as text messages which have potential to incite violence in the state at a larger rate.*

7.3.4 Cow Vigilantism

Even since the government imposed a ban on the sale and purchase of cattle for slaughter at animal markets across India, under **Prevention of Cruelty to Animals statutes (26 May 2017)**, it sparked a new wave of cow vigilantism in the country. Though the **Supreme Court suspended the ban on the sale of cattle in its judgement in July 2017**, several innocent persons were killed in such mob attacks. These incidents are usually appearing to be sporadic in

nature and often a spontaneous response from the Hindutva forces who are generally furious over the reports of cow smuggling and slaughter. Vigilante groups who disguise themselves as cow protectors/gau rakshaks, have been arrested for various instances of mob lynching.

7.4 Way Forward

The following measures need to be implemented to curb the menace of communal violence:

1. **Taking pride in our heritage:** The feeling of nationalism should be inculcated in the mind of people by reminding them about the glorious moments of freedom struggle wherein Hindus, Muslims and Sikhs were united in the fight against the British, to safeguard the interests of the country.
2. **Impartial administration and police:** Most riots persist for longer periods because the people feel that the administration/police is not impartial. Changing this perception is most crucial for stopping the riots. Perceived political interference in administration during communal violence must be eliminated. The directives of police reforms given by the Supreme Court should be adopted by the State Governments in letter and spirit. A fixed tenure of District Magistrate/ Deputy Commissioner and Superintendent of Police, SHO and Field Officers will make a big difference.
3. **Policy of zero tolerance towards violence:** The government policies and practices should be firm and strict in this regard. It should not be affected by the vote-bank politics. **The police must take immediate, strong, and effective action against those who indulge in violence irrespective of their community.** There is an urgent need of not just an effective civil administration but also a speedy judiciary. Strict bail provisions must be made in cases of communal violence on the lines of the NDPS Act.
4. **Peace committees:** Peace committees should be mandatory in every area. It should include secular and visionary people from all communities. People with high social standing like doctors, philanthropists and social workers must be engaged with such peace committees. Meetings of peace committee should be organised regularly. The district administration should engage actively with such committees to promote communal harmony.
5. **Win people's hearts through media and civil society:** The faith of common people in the local police should be restored with the help of civil society, NGOs and the media. Community policing and beat-constable system is also helpful in gathering intelligence and grass-roots information.

6. **Sensitise the police towards feelings of minorities:** The minority community at large views the police as communal and biased against them. The police must be sensitised to feelings of minorities and build trust.
7. **Holistic development of minority communities:** There should be a sincere effort to ensure that employment and skill development opportunities are available in the economic, educational and social spheres for the minority communities. Efforts should be made for bringing them in the mainstream of the Indian society. Mainstreaming of minorities via increased representation-minority communities are woefully under-represented in the government services. According to the Sachar Commission, the number of Muslim civil servants at Central level is below two per cent. Thus, increasing the representation of minorities in the state institutions, through education programmes and affirmative action, will help increase faith and build trust of minorities in the impartiality of the state.
8. **Impart liberal values:** The Centre should impart liberal values in our society through our education system. Soft-skill development training should be provided to the police and administration personnel.
9. **Strong legal action:** The police should take adequate steps to identify in advance the potential troublemakers and make timely use of preventive sections of law. Those inciting communal feelings must be punished. Provocative speeches by the religious leaders in public and media must be dealt with strictly and strong legal action should be taken against them.
10. **Positive utilisation of social media and mass media for awareness:** The misuse of social media and mass media should be prevented. Efforts should be made through mass media for changing the attitude of people towards other communities. People must be made aware of the evils of communalism. The government should sponsor movies promoting communal harmony and secularism.
11. **Proper checks and balances on social media:** Rumours/hate propaganda can be prevented through control of bulk SMS in times of communal tension. In 2018–19, the Centre summoned officials of social media giants such as Facebook and WhatsApp to discuss methods by which these platforms could be misused by communal and anti-social elements.
12. **Ban on contesting elections:** People charge-sheeted in cases of communal violence should be banned from contesting the elections.
13. **Special fast-track courts** to deal with communal riot cases and bail norms must be strict.
14. **Manpower shortage issue in police:** The number of policemen per one lakh people in India is only 130. The minimum United Nations norm is 220. This gap should be filled.

15. A **fair representation of marginalised section** of society in police and other security forces.
16. Capacity building of **police and implementation** of police reforms.
17. **Identification of miscreants** and action against provocateurs.
18. **Videography of riots** and strict legal action against rioters.
19. **Creation of sources** in communally sensitive areas.
20. **Preventing community-based** ghettos in urban areas.
21. Formulating **counter-radicalisation and de-radicalisation** policies.

Probable Questions Based On This Chapter

1. What are the fundamental reasons for the rise of communal feelings in a society? Explain this with suitable examples in the context of India.
2. Is communalism the biggest threat to the country's unity? Explain with relevant examples.
3. What measures would you suggest for curbing communal violence and establishing a progressive, liberal and peaceful society in India?
4. Fake news has emerged as the latest challenge for the internal security apparatus. Discuss.
5. Mob violence is increasing day by day. Enumerate the steps to be taken to curb mob violence.

Organised Crime

Chapter 8

8.1 Meaning of Organised Crime

Organised crime means **'a structured group of three or more persons existing for a period of time and acting in concert with the aim of committing serious crimes or offences to obtain, directly or indirectly, financial or other material benefit'.**

It manifests in many forms. Organised crime can be further classified into **two categories**, viz, traditional organised crime and non-traditional (modern) organised crime.

Traditional organised crime includes illicit liquor trade, betting, gambling, kidnapping, extortion, prostitution rackets, robbery, blackmailing, sand mafia, mining mafia, contract killing and pornography.

Non-traditional organised crime includes transnational crime like money laundering, pumping fake Indian currency notes (FICN), *hawala* transfer, cyber crime, hacking, human trafficking, arms smuggling and drugs smuggling.

8.2 Transnational Organised Crime

As per the UN Convention, **transnational organised crime comprises:**

- A group of three or more persons that was not randomly formed;
- Existence of such a group for a period of time;
- Acting in concert with the aim of committing at least one crime punishable by at least four years' incarceration and
- In order to obtain, directly or indirectly, a financial or other material benefit.

Since most 'groups' of any sort contain three or more people working in concert and most exist for a period of time, the true defining characteristics of organised crime groups under the UN Convention are their profit-driven

nature and the seriousness of the offences they commit. The following table defines organised crime and terrorism and compares the traditional versus modern versions.

	Traditional	Modern
Organised crime	Based on power over local communities	Based on expansion of global markets
	Family organisation	Networks of entrepreneurs
Terrorism	Based on support in oppressed communities	Based on sympathisers in several countries
	Military model of top-to-bottom organisation	Networks of ideologically committed operatives

8.2.1 Link between Organised Crime and Terrorism

Terrorists engage in organised crimes to support themselves financially. Drug trafficking, money laundering, FICN, *supari* killing, and extortion are the main organised crimes by which the terrorists generate money.

Organised crime groups and terrorists often operate on same network structures. Terrorists thrive under the cloak of transnational organised crime groups. Both organised crime groups and terrorist groups operate in areas with little governmental controls, weak enforcement of laws and open borders. Both often use similar means of modern technology to communicate.

These groups may provide smuggled arms and explosives to the terrorist groups in an exchange for drugs or diamonds and so on. Terrorist groups make use of smuggling networks established by the organised crime to move operatives around the world. Criminal groups also provide money laundering services. Terrorist groups controlling the terrain tax drug traffickers in return for protection.

Organised crime and terrorism thrive on ineffective governance and poor checks and balances. They have developed a symbiotic relationship. But neither all terrorist acts are organised crime, nor all organised criminal acts are terrorism; in most developed countries, organised crime thrives with little or no terrorist activities, and in most developing countries, terrorism exists along with varying levels of organised criminal activity.

8.2.2 Major Differences between Organised Crime and Terrorism

The differences between organised crime and terrorism rest on means and ends.

- **Terrorism** aims to overthrow the existing government by altering the status quo. **Organised crime**, on the other hand, aims to form

a parallel government (parallel economy) while co-existing with the existing one; any change in the status quo is only circumstantial or a by-product and born out of convenience rather than zealous revisionist policy.

- Terrorism primarily uses violent means, whereas organised crime prefers to be non-violent notwithstanding the odd resort to belligerence.
- Terrorism is driven purely by political objectives despite sometimes resorting to exploitation of regional, national and religious sentiments to achieve their ends; conversely, economic objectives are the operational determinants of organised crime.

8.3 Different Types of Organised Crimes

Different types of organised crime include:

1. Narcotics smuggling
2. Arms smuggling
3. Human trafficking
4. Gold smuggling
5. Fake currency
6. Kidnapping and extortion
7. Contract killing/*supari* killing
8. Cyber crime
9. Money laundering
10. Maritime piracy
11. Chemical, Biological, Radiological and Nuclear Defence (CBRN) smuggling
12. Trading in human body parts
13. Infiltration of illegal businesses

It is worth mentioning that the first five activities in the above list are more prone to have terrorist linkages.

8.4 What Are the Links between Terrorism and Organised Crime and How Are They Relevant in the Indian Context?

More than ever before, the groups engaged in terrorism and organised crime operate together. These relationships have helped the terrorist groups to be less dependent on state sponsors, and on their domestic and international supporters. The 1990s, especially the second half, witnessed a number of terrorist groups learning from criminal networks. Operating through the cover of sympathetic organisations in Europe and North America, many Asia-Pacific terrorist groups generate huge revenues from video and CD piracy, business in phone cards and credit card scams.

While organised crime involves many activities, its linkages with terrorism stem from illegal trafficking of drugs, arms and human beings, fake currency and money laundering. Terrorist groups, whether indigenous or sponsored by outside states, need arms and money for their fight against the security forces.

Organised crime needs a client and couriers who can smuggle drugs, arms and human beings across countries and regions.

In India, the linkage between the two exists at national and transnational levels. At the national level, both terrorists and those involved in organised crime are within India. At the international level, collaboration exists between transnational syndicates and terrorists from inside and outside India.

8.4.1 Link between Terrorism and Organised Crime in the North-East

In India's North-East, almost all militant groups run a parallel government or have their areas of influence and are involved in collecting money directly from the people. Much of the government funds reach the militants indirectly due to malgovernance. Government officials in conflict zones are either threatened or bribed to award contracts to individuals patronised by the militant groups. Contracts apart, essential commodities like rice and fuel reach the militant groups directly which are then sold to the public at much higher prices. This phenomenon, though unnoticed in other parts of India, is a clear example of the linkage between organised crime and terrorism inside India.

Extortion, kidnapping, contracts and black marketing still fall short of financing the nefarious activities of the militants. This is where transnational drugs and arms syndicates come into play. Terrorist organisations, especially in the North-East, mobilise funds by becoming couriers of illegal drugs and arms, and at times even human beings, from one point to another within the country. Some of the infamous entry points from South-East Asia include Moreh and the entire Chittagong Hill tracts, especially Cox's Bazaar. Initially, international criminal syndicates had their own network; however, with these routes being taken over by various terrorist groups in the North-Eastern states, the syndicates have started using them instead of bribing them to let their consignments get through.

8.4.2 Link between Terrorism and Organised Crime in Kashmir

In Kashmir, the linkage between the terrorists and organised crime exists at a different level. **Unlike the North-East, reliance on the funds from extortion and other related means is minimal.** There is no parallel government in Kashmir, and government resources do not reach militant hands. However,

the external funds compensate for an inadequate internal mobilisation. External funds reach the militant organisations fighting in Kashmir through various means. For instance, enormous funds mobilised in Pakistan and other Muslim countries, especially in the Gulf, are channelled through various organisations in Pakistan to Kashmir. Markaz-ud-dawa-wal Irshad, for example, mobilises funds from inside and outside Pakistan to support its militant wing, Lashkar-e-Taiba. Besides, external funds are also routed through select organisations and individuals in Kashmir, which finally reach the militants. Money laundering plays a significant role. Hawala transactions take place swiftly and effectively. Besides, it is also believed that the ISI uses drug money to fund the militant activities in the state.

Another significant relationship between organised crime and terrorism, especially in Kashmir, is through the spread of counterfeit currency, FICN. Terrorists are the main couriers of Indian counterfeit currency inside Kashmir, which then spreads all over India. Even guides for the militants from across the border are paid with counterfeit money. In fact, when some of the 'indigenous' militants were also paid with counterfeits, it resulted in squabble between them and the so-called guest militants.

8.4.3 Link between Terrorism and Organised Crime in the Rest of India

Besides Kashmir and the North-East, sporadic incidents in other parts of India, like the Mumbai blasts, for instance, have exposed the connections between terrorism and organised crime. This is distinct from the traditional linkages flourishing between organised crime syndicates and local criminals.

8.4.3.1 Bombay Blasts

The Bombay blasts in 1993 are a classical example of organised crime cartel's planning and executing terrorist activities. The 1993 Bombay bombings were a series of thirteen bomb explosions that took place in Bombay on Friday, 12 March 1993. The coordinated attacks were the most destructive bomb explosions in Indian history. The single-day attacks resulted in over 350 fatalities and 1,200 injuries.

The attacks were coordinated by Dawood Ibrahim, don of the Bombay-based international organised crime syndicate named D-Company. Dawood Ibrahim was the mastermind behind these blasts. He is involved in all kinds of organised crime cartels like drugs smuggling, gold smuggling, *supari* killing and match fixing.

Linkages between terrorism and organised crime came to the limelight for the first time in India with the Bombay blast. Communal tension led to terror activities for the first time in India. For the first time, the revenge of riots was taken in the form of terror attacks.

8.4.3.2 Dawood Ibrahim

Dawood Ibrahim is the most powerful Mumbai mafia 'don', with a countrywide network and extensive linkages abroad. He is a classic example of **organised crime mafia** . He is one of the most powerful gangsters involved in transnational crimes, including narcotics smuggling, extortions, and contract killings. It is believed that he lives in Pakistan and Dubai with support from the ISI, though the ISI denies it.

Dawood Ibrahim was believed to control much of the hawala system, which is a commonly used unofficial system for transferring money and remittances outside the view of official agencies. He is **currently on the wanted list of Interpol** for cheating, criminal conspiracy and organised crime syndicate. He was at **No. 3 on the Forbes' World's Top 10 most dreaded criminals list of 2011,** rising from the fourth position in 2008.

According to the United States, Dawood Ibrahim maintained close links with Al-Qaeda's Osama Bin Laden. As a consequence, the United States declared Dawood Ibrahim a **global terrorist** in 2003 and pursued the matter before the United Nations in an attempt to freeze his assets around the world and crack down on his operations. The US administration imposed several sanctions on Ibrahim and his associates. Indian and Russian intelligence agencies have pointed out Ibrahim's possible involvement in several other terror attacks, including the **November 2008 Mumbai attacks** .

Currently, the primary activities of this gang are extortion, contract killing, film financing, match fixing, drug trafficking, smuggling gold, computer parts and illicit trade in arms and ammunition. The Dawood gang has been supplying arms both to criminals and terrorists.

8.4.4 Link between Terrorism and Money Laundering

Terrorist groups have begun to lay a premium on gaining domestic respectability, as also international acceptance, for their goals. Accordingly, such groups have gradually tended to distance themselves from visibly illegitimate businesses and to invest in legitimate businesses such as investment in share market, capital market, IPL spot fixing and so on. Specifically, with regard to organised crime, the terrorist groups have taken advantage of existing laws to further their own agenda of establishing a transnational network. Irrespective of who does it, it is not a criminal offence in most countries to generate funds through businesses and raise funds through charities. A large proportion of the **dirty money** can be traced to proliferating narcotics cartels, alien smuggling networks and so on. But law enforcement agencies find it more difficult to detect **clean-clean money** (money which is both generated and transferred legally) as compared to **dirty-clean money** (money generated from criminal operations and 'laundered'). The former

has certain legitimacy and no illegal hooks attached. With governments allocating significant resources to combat money laundering, it is becoming difficult for terrorist groups to rely on criminal proceeds. The latest United Nations Conventions on (a) the Suppression of the Financing of Terrorism, and (b) Transnational Organised Crime will make money laundering even harder.

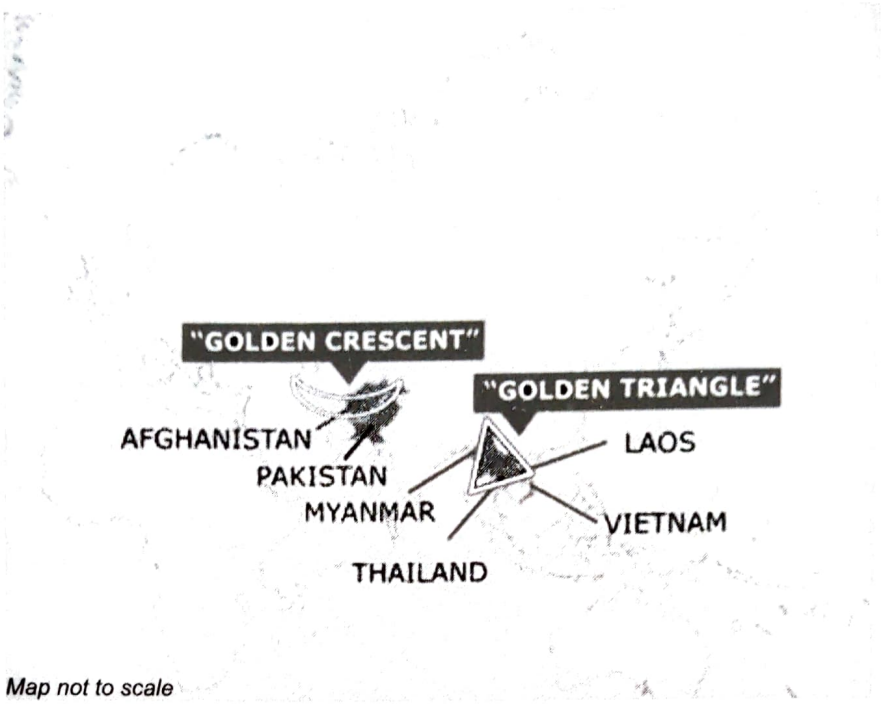
In order to evade the police dragnet, the terrorist groups are consequently developing and maintaining clean money sources. Accordingly, the future scenario is likely to see rag-tag/groups-in-transition utilising **dirty-clean money routes** and sophisticated groups using **clean-clean money routes**. Emerging trends in organised crime indicate that most groups with a national reach are involved in illegitimate businesses, e.g., narcotics and alien smuggling, abduction and extortion. At the other end, a majority of the groups with a global reach are involved in legitimate/quasi-legitimate businesses, e.g., manufacturing, CD/ video piracy, etc.

8.4.5 Link between Terrorism and Drug Trafficking

Heroin from the **Golden Crescent** (Afghanistan, Iran and Pakistan) and **Golden Triangle** (Myanmar, Laos and Thailand) feeds the Asia-Pacific region with major transit routes to Europe and North America.

The increase in consumption within the region has also contributed to regional insecurity because of the terrorist–criminal nexus. While organised crime groups that are often linked to terrorist groups control narcotics distribution, many terrorist and guerrilla groups control the territories where the narcotics are cultivated or refined. The Taliban regime controlled the parts of Afghanistan where heroin was produced and taxed the cultivators as also the transporters of opium. Furthermore, the threat posed by narcotics to health, economic, and law and order spheres in the region is on the increase.

Narcotics trafficking is a major source of revenue for terrorists and organised crime networks, particularly groups with trans-state reach. As much as armed ethnic groups in Myanmar control the flow of narcotics from Myanmar, armed Islamic groups tax and control organised crime networks regulating the flow of narcotics from Afghanistan. Organised crime, already prevalent in the Far East and South-East Asia, has gained a prominent foothold in the cities of South Asia since the mid-1990s. Organised crime networks in Japan, Hong Kong and China have also made greater inroads in the West. With South Asia increasingly moving towards a market economy, it is likely that organised crime will take deeper roots.



Map not to scale

8.5 Future of the Link between Terrorism and Organised Crime and How They Can Be Broken

With the loss of state sponsorship for terrorism, the terrorist groups need to pursue different means of financing, mainly through arms and drugs trafficking. In the near future, Dependence of terrorists on organised crime for financial viability and organisational survival will increase. Structurally, the terrorist groups will increasingly mirror organised crime groups. Terrorist groups will rapidly move in search of new opportunities to generate funds. Dependent on the financial opportunities available, both sources and methods of generating revenue will differ from one another. With state sponsors distancing themselves, the terrorist groups will either develop robust organised crime components or work closely with organised crime groups. While the bulk of the terrorist groups will retain their political leanings, the potential for a few terrorist groups to degenerate into pure criminal groups will, nevertheless, increase.

To effectively combat international terrorism, the state response will have to factor in the nexus between terrorists and organised crime.

Among the principal responses to regulating these existing and emerging threats are as follows:

- Develop exceptionally good military and intelligence expertise to neutralise the terrorist groups. The approach of punishing individuals, but permitting groups that have perpetrated violence to exist, is highly counter-productive.

- Develop **arrangements with states** to disrupt terrorist support networks and assist states by sharing intelligence and exchanging personnel to fight transnational terrorist networks.
- Terrorist groups **can be effectively crushed only at an early stage**. The failure to fight efficiently, legitimately and ethically – especially against an ethnically and religiously empowered group – can lead to indiscriminate violence, which can favour the terrorists. With time, most conflicts can gather momentum generating substantial popular support. In such instances, a political solution over a military solution should be considered.
- Often, devolving **regional autonomy or power sharing** has been the most effective strategy. But, it works primarily in the formative phases of a conflict. The process requires close supervision, particularly during the implementation phase.
- A **politico-military approach** should be evolved to politically isolate a group in order to stem support and recruits, and to simultaneously offer political and economic incentives and to militarily pressurise it to join the mainstream. Often, links with the foreign groups, state sponsors or diaspora support can provide the confidence to fight on. Transnational networks make such groups more resilient.
- **Stringent laws** like the TADA, MCOCA, Gangster Act and so on should be implemented to tackle organised crime.
- While some of these threats **can be resolved unilaterally** by the states, most require bilateral and multilateral arrangements.
- Some of the threats **can be regulated** at the sub-regional and others at the regional level.
- Some of the threats are new, others are old, but have assumed a renewed dimension. Therefore, **new institutions** capable of delivering multi-pronged responses are essential to regulate extant and emerging threats.

8.6 UN Convention Against Transnational Organised Crime and the Protocols

The **UNTOC** is the guardian of the United Nations Convention against Transnational Organised Crime (Organised Crime Convention) and the **three protocols** (Trafficking in Persons, Smuggling of Migrants and Trafficking of Firearms) that supplement it.

This is the only international convention, which deals with organised crime. It is a landmark achievement, representing the international community's commitment to combating transnational organised crime and acknowledging the UN's role in supporting this commitment. The **adoption of the Convention at the 50-50 session of the General Assembly of the**

United Nations in 2000 and its entry into force in 2003 also marked a historic commitment by the international community to counter organised crime.

The Organised Crime Convention offers the states which are party to the convention a framework for preventing and combating organised crime and a platform for cooperating in doing so. These states have committed to establishing the criminal offences of participating in an organised crime group, money laundering, corruption and obstruction of justice in their national legislation. By becoming parties to the UNTOC, these states also have access to a new framework for mutual legal assistance and extradition, as well as a platform for strengthening law enforcement cooperation. States have also committed to promoting training and technical assistance to strengthen the capacity of national authorities to address organised crime.

8.7 Money Laundering

The process of creating the appearance that large amounts of money obtained from serious crimes, such as drug trafficking or terrorist activity, is from a legitimate source is called money laundering. The process of making dirty money look like clean money is referred to as money laundering.

Money laundering is a crucial step in the success of drug trafficking and terrorist activities. The connection between money laundering and terrorism may be a bit more complex, but it plays a crucial role in the sustainability of terrorist organisations. Most people who financially support terrorist organisations do not simply write a personal cheque and hand it over to a member of the terrorist group. They send the money in roundabout ways that allow them to fund terrorism while maintaining anonymity. On the other end, the terrorists do not use credit cards and cheques to purchase the weapons, plane tickets and civilian assistance; they need to carry out a plot. They launder the money so that the authorities cannot trace it back to them and foil their planned attack. Interrupting the laundering process can cut off the funding and resources to terrorist groups.

The basic money laundering process has three steps:

- Placement: At this stage, the launderer inserts the dirty money into a legitimate financial institution. This is often in the form of cash bank deposits. This is the riskiest stage of the laundering process because large amounts of cash are pretty conspicuous, and banks are required to report high-value transactions.
- Layering: Layering involves sending the money through various financial transactions to change its form and make it difficult to follow. Layering may consist of several bank-to-bank transfers, wire transfers between different accounts in different names in different countries, making deposits and withdrawals to continually vary the amount of money in the accounts, changing the money's currency,

and purchasing high-value items (boats, houses, cars and diamonds) to change the form of the money. This is the **most complex step** in any laundering scheme, and it is all about making the original dirty money as hard to trace as possible.

- **Integration:** At the integration stage, the **money re-enters the mainstream economy** in a legitimate-looking form – it appears to come from a legal transaction. This may involve a final bank transfer into the account of a local business in which the launderer is 'investing' in exchange for a cut of the profits. At this point, the criminal can use the money without getting caught. It is very difficult to catch a launderer during the integration stage if there is no documentation during the previous stages.
- **Round-tripping:** A new and major route through which money is laundered in India is via 'round-tripping'. In this process, the **black money generated in India is transferred to tax-haven countries**. Tax-haven countries are those countries which have very weak corporate laws and no/very low tax rates. Then a company is set up in the tax haven with the black money. This black money is now shown as 'white money' and sent back into India as **foreign investment**. The profits earned in India with this investment are taken back to the tax heaven without paying any taxes in India. This is because such investment is exempt from taxation under **the Double Taxation Avoidance Agreement**. This method of money laundering makes use of loopholes in the capital/stock markets and investments are made via P-Notes (Participatory Notes). **Journalist Paranjoy Guha Thakurta** has exposed this new method of money laundering through a documentary called **'A Thin Dividing Line'**.

8.7.1 Effects of Money Laundering

Criminals launder anywhere between $500 billion and $1 trillion worldwide every year. The global effect is staggering in social, economic and security terms.

8.7.1.1 Social Effects

On the socio-cultural end of the spectrum, successfully laundering money means that criminal activity does pay off. This success encourages the criminals to continue their illicit schemes because they get to spend the profit with no repercussions. This means more fraud, more corporate embezzling (which means more workers losing their pensions when the corporation collapses), more drugs on the streets, more drug-related crime, law enforcement resources stretched beyond their means and a general loss of morale on the part of legitimate business people who do not break the law and do not make nearly the profits that the criminals do.

8.7.1.2 Economic Effects

The economic effects are on a broader scale. Developing countries often bear the brunt of modern money laundering because the governments are still in the process of establishing regulations for their newly privatised financial sectors. This makes them a prime target. Other major issues facing the world's economies include errors in economic policy resulting from artificially inflated financial sectors. Massive influx of dirty cash into particular areas of the economy that are desirable to money launderers create false demand, and officials act on this new demand by adjusting the economic policy. When the laundering processes reach a certain point or if law enforcement officials start to show interest, all that money suddenly disappears without any predictable economic cause and that financial sector falls apart.

Some problems on a more local scale relate to taxation and small-business competition. Laundered money is usually untaxed, meaning the rest of us ultimately have to make up the loss in tax revenue. Also, legitimate small businesses cannot compete with money laundering front businesses that can afford to sell a product far cheaper because their primary purpose is to get clean money, and not earn profit. They have so much cash coming in that they might even sell a product or service below cost.

8.7.2 Trade-Based Money Laundering (TBML)

The Financial Action Task Force (FATF) defines **Trade-Based Money Laundering (TBML)** as the process of disguising the proceeds of crime and moving value through the use of trade transactions in an attempt to legitimise their illicit origins. In simpler terms, TBML is the process of **transferring/ moving money through trade transactions**. In practice, this can be achieved through the misrepresentation of the price, quantity or quality of imports or export.

The basic techniques of TBML include:

1. **'Over-invoicing' and 'under-invoicing' of goods and services:** Money laundering through the over-invoicing and under-invoicing of goods and services, which is one of the oldest methods of fraudulently transferring value across borders, remains a common practice today. The key element of this technique is the misrepresentation of the price of the goods or a service in order to transfer an additional value between the importer and the exporter. Over-invoicing of exports is one of the most common trade-based money laundering techniques used to move money. This reflects the fact that the primary focus of most customs agencies is to stop the import of contraband and ensure that appropriate import duties are collected.
2. **Multiple invoicing of goods and services:** Another technique used to launder funds involves issuing more than one invoice for the same trade transaction. By invoicing the same good or service more than

once, a money launderer or terrorist financier is able to justify multiple payments for the same shipment of goods or delivery of services. Unlike over-invoicing and under-invoicing, it should be noted that there is no need for the exporter or importer to misrepresent the price of the good or service on the commercial invoice.

3. **Over-shipment and under-shipment of goods and services:** In addition to manipulating export and import prices, a money launderer can overstate or understate the quantity of goods being shipped or services being provided. In the extreme case, an exporter may not ship any goods at all, but simply collude with an importer to ensure that all shipping and customs documents associated with this so-called **phantom shipment** are routinely processed. Banks and other financial institutions may unknowingly be involved in the provision of trade financing for these phantom shipments.
4. **Falsely described goods and services:** In addition to manipulating export and import prices, a money launderer can misrepresent the quality or type of a good or service. For example, an exporter may ship a relatively inexpensive good and falsely invoice it as a more expensive item or an entirely different item. This creates a discrepancy between what appears on the shipping and customs documents and what is actually shipped.

   The use of false descriptions can also be used in the trade in services, such as financial advice, consulting services and market research. Generally, cases of over-invoicing or under-invoicing primarily designed to gain a tax advantage are considered customs fraud as also other manifestations as above.

8.7.3 Prevention of Money Laundering Act (PMLA)

PMLA is a **criminal law** which came into force on **1 July 2005**. Under the Act, money laundering linked to the predicate scheduled offences is liable for punishment. There are 156 offences in 28 different statutes which are scheduled offences under PMLA. Once the agency concerned with a predicate scheduled offence registers a case, the Enforcement Directorate takes up investigations under PMLA to ascertain the proceeds of crime generated from the predicate offence booked by the **Law Enforcement Agency**. In case a prima facie case of generation of proceeds of crime and laundering is made out, PMLA provides for seizure and attachment of laundered properties. The action of seizure and attachment is required to be adjudged by the Adjudicating Authority under PMLA.

The persons, both natural and legal entities, who are accused of the offence of money laundering linked to the scheduled offence, can be prosecuted in the Special Courts. **PMLA provides for rigorous imprisonment of minimum three years which can extend up to seven years and a fine of up to ₹5 lakh**

on conviction by the Court of persons who have been accused of the offence of money laundering. The conviction can extend up to ten years if the offence of money laundering is linked to narcotic trafficking. The property attached under PMLA can be confiscated by the Adjudicating Authority after the conviction by the Court of the accused in the trial for scheduled offence.

In terms of PMLA, the tainted proceeds, if found parked overseas, can also be restituted through mutual legal assistance after the collection of such evidence through the process of Letter of Requests with the foreign administration. PMLA also sets out the procedure for reciprocal arrangements with contracting states for seizure, attachment and confiscation of assets found lying overseas. India has signed the Mutual Legal Assistance Treaty (MLAT) with twenty-six countries and by virtue of the provisions of PMLA, the Centre is fully armed with legal measures to get the tainted assets repatriated back to the country on conviction of persons accused of money laundering. Till the conviction, the assets traced overseas can be requested to be seized or frozen by foreign jurisdictions.

Section 12 of PMLA requires financial sector entities (banking companies, financial institutions and intermediaries) to verify the identity of their clients, maintain records and report suspicious/cash transactions (STR/CTR) to the Financial Intelligence Unit India (FIU-IND). The Director of the FIU-IND is empowered to conduct an enquiry and impose sanctions against the financial sector entities for non-compliance with Section 12. The FIU-IND conducts an analysis of information received under PMLA and, in appropriate cases, disseminates the information to relevant intelligence/ enforcement agencies, which include Central Board of Direct Taxes, Central Board of Excise and Customs, Enforcement Directorate, Narcotics Control Bureau, Central Bureau of Investigation, intelligence agencies and regulators of financial sector.

It may be seen that under both the acts, i.e., FEMA and PMLA, investigation is initiated against specific persons, both natural and legal, and such action is initiated on the basis of specific information.

8.7.4 Financial Action Task Force (FATF)

The Financial Action Task Force (FATF) is an inter-governmental body established in 1989 on the initiative of the G7. It is a policy-making body which works to generate the necessary political will to bring about national legislative and regulatory reforms in various areas.

8.7.4.1 Role of the FATF

- The rise of the global economy and international trade has given rise to financial crimes such as money laundering.
- The FATF makes recommendations for combating financial crime, reviews members' policies and procedures, and seeks to increase

the acceptance of anti-money laundering (AML) regulations across the globe.

- Because money launderers and others alter their techniques to avoid apprehension, the FATF updates its **recommendations** every few years.
- The FATF Secretariat is housed at the **OECD Headquarters in Paris**.
- It holds **three plenary meetings** in the course of each of its twelve-month rotating presidencies.
- As of 2019, the FATF consisted of **thirty-seven member jurisdictions**.
- **India became an Observer at the FATF in 2006**. Since then, it had been working towards full-fledged membership. On 25 June 2010, India was taken in as the thirty-fourth country member of the FATF.

8.7.4.2 What Is the Black List and the Grey List?

- **Black List:** The black list, now called the **call for action** was the common shorthand description for the FATF list of Non-Cooperative Countries or Territories (NCCTs).
- **Grey List:** Countries that are considered a safe haven for supporting terror funding and money laundering are put on the FATF grey list. This inclusion serves as a warning to the country that it may enter the black list.

8.7.4.3 Consequences of Being on the FATF Grey List

- Economic sanctions from the IMF, World Bank, ADB
- Problem in getting loans from the IMF, World Bank, ADB and other countries
- Reduction in international trade
- International boycott

8.7.4.4 Pakistan and the FATF

- Pakistan, which continues to remain on the **grey list** of the FATF released in **2021** has earlier been given the deadline till June to ensure compliance with the twenty-seven point action plan against terror funding networks.
- It has been under the FATF's scanner since **June 2018**, when it was put on the grey list for terror financing and money laundering risks.
- The FATF and its partners such as the **Asia Pacific Group (APG)** are reviewing Pakistan's processes, systems and weaknesses on the basis of a standard matrix for AML and combating the financing of terrorism (CFT) regime.

8.8 Black Money

There is no uniform or accepted definition of 'black' money. Several terms are in use, such as 'black money', 'black income', 'dirty money', 'black wealth', 'underground wealth', 'black economy', 'parallel economy', 'shadow economy', 'underground' or 'unofficial' economy. If money breaks the laws in its origin, movement or use, and is not reported for tax purposes, then it would fall within the meaning of black money. The broader meaning would encompass and include **money derived from corruption and other illegal ways** – to include drug trafficking, counterfeiting currency, smuggling and arms trafficking. It would also include all the market-based legal production of goods and services that are **concealed from public authorities for the following reasons:**

- To evade the payment of taxes (income tax, excise duty, sales tax, stamp duty, etc.)
- To evade the payment of other statutory contributions
- To evade minimum wages, working hours and safety standards, etc.
- To evade complying with laws and administrative procedures

There are **three sources of black money – crime, corruption and business**. The 'criminal' component of black money would normally include proceeds from a range of activities, including racketeering, trafficking in counterfeit and contraband goods, forgery, securities fraud, embezzlement, sexual exploitation and prostitution, drug money, bank frauds and illegal trade in arms. The 'corruption' component of such money would stem from bribery and theft by those holding public office, such as by grant of business, bribes to alter land use or to regularise unauthorised construction, leakages from government social spending programmes, speed money to circumvent or fast-track procedures and black marketing of price controlled services.

8.8.1 White Paper on Black Money

White Paper on Black Money was **tabled in Parliament in May 2012**. As per the Paper, Black Money is any assets or resources that have neither been reported to the public authorities at the time of their generation nor disclosed at any point of time during their possession.

- **Black money can be generated through:**
  i. illegal activities like crime, drug trade, terrorism and corruption or
  ii. failing to pay dues to the public exchequer in one form or another. In the second case, activities might be legal, but the perpetrator may simply have failed to report the income generated to avoid paying tax.
- The Paper provides an **overview of how manipulation of financial records** and accounting techniques are used to generate black money.

- Certain sectors are highlighted as being more vulnerable to black money issues. These include land and real estate, bullion and jewellery, financial markets, public procurement, the non-profit sector, informal sector and cash economy.
- The Paper **does not provide an estimate of the amount of black money currently generated in India**. It cites a lack of uniformity, unanimity or consensus about the best approach to be used to measure black money.
- The Paper highlights the **issue of Indian assets held abroad**, particularly in Swiss banks. In 2010, liabilities in Swiss banks towards India were ₹7,924 crore, and this was 0.13% of Swiss banks' total liabilities.
- The Paper describes the **institutions currently in place** responsible for dealing with black money issues. These include the Central Board of Direct Taxes (CBDT), the Enforcement Directorate (ED), the Financial Intelligence Unit (FIU-IND) and the Central Board of Excise and Customs (CBEC). The Central Economic Intelligence Bureau (CEIB), the National Investigation Agency (NIA) and the High Level Committee (HLC) act as coordinating agencies.
- The Paper also describes the **framework the Government of India** has employed to tackle black money. It is a **five-pronged strategy** which involves:
  1. joining the global crusade against black money,
  2. creating an appropriate legislative framework,
  3. setting up institutions for dealing with illicit money,
  4. developing systems for implementation and
  5. imparting skills to personnel for effective action.
- The Paper stresses the need for any **long-term strategy** to be based on public acceptance, political consensus and the commitment to implement it.
- The Paper proposes a strategy to curb black money generation from legitimate activities based on **four pillars**:
  1. Reducing disincentives against voluntary compliance
  2. Reforms in sectors vulnerable to generation of black money
  3. Creation of effective credible deterrence
  4. Supportive measures

8.8.2 Strategy to Tackle Black Money

The **strategy to tackle black money** includes:

- Preventing generation of black money
- Discouraging use of black money

- Effective detection of black money
- Effective investigation and adjudication
- Regulated use of large denomination

8.8.3 SIT Recommendation on Black Money

The SIT was **formed in 2014 by the Supreme Court** to curb the menace of black money.

These are the **recommendations of 'fifth SIT' on Black Money**:

1. A complete ban should be imposed on the cash transactions above ₹3,00,000. There should be a specific provision in the Act that cash transactions in cash above threshold limit shall be deemed as illegal, invalid and punishable under law.
2. If there is a cash withdrawal of more than ₹3,00,000 from any bank, then the bank should consider it as a suspicious activity and should report to the FIU and the concerned income tax department.
3. Maximum limit on cash holding may be fixed between ₹10 to 15 lakhs.
4. All banks including the cooperative banks may be directed to notify any income or withdrawals of more than ₹3,00,000 to the Director General of Income Tax (Investigation), Authorities of the State and to the FIU.
5. Appropriate steps may be taken for amending the Black Money (undisclosed foreign income and assets) and **Imposition of Tax Act, 2015**, by incorporating the provision that undisclosed foreign income and assets would vest in the Union of India.
6. Before investing any amount or purchasing any property outside the country, the assessee must inform the concerned jurisdictional Commissioner of the Income Tax Department of the State.

The Supreme Court can anytime form an SIT to investigate any future matters related to black money, and the SIT would be required to further suggest how to curb it.

8.9 Maharashtra Control of Organised Crime Act (MCOCA), 1999

The **Maharashtra Control of Organised Crime Act, 1999 (MCOCA)**, is a law enacted by Maharashtra in 1999 to combat organised crime and terrorism. The preamble to the MCOCA says that the existing legal framework, i.e., the penal and procedural laws and the adjudicatory system, are found to be rather inadequate to curb or control the menace of organised crime. The government has, therefore, decided to enact a special law with stringent and deterrent provisions including, in certain circumstances, power to intercept

wire, electronic or oral communication to control the menace of organised crime. Unlike normal law, the confessions before senior police officers are admissible, not only against the accused giving the confession but also against the other accused in the same case. There is no provision for granting anticipatory bail for six months to the accused.

The MCOCA puts a bar on soft liberal bail provisions. Under the MCOCA, **not bail but jail** is the controlling principle. Police can file a charge sheet within 180 days instead of the 90 day time limit in normal cases. There are measures in the MCOCA which ensure protection of witnesses, like keeping the identity and address of the witness secret, and the witness need not be produced in court.

Probable Questions Based on This Chapter

1. What do you understand by transnational organised crime?
2. What is the interconnection between terrorism and organised crime?
3. What are the main differences between terrorism and organised crime?
4. How is terrorism thriving under the cloak of organised crime in the North-Eastern part of India?
5. Write a short note on Money Laundering and the Prevention of Money Laundering Act (PMLA).
6. What is black money and how to tackle the menace of black money?
7. Discuss the impact of demonetisation and terrorism.

Chapter 9

Cybersecurity and Role of Social Media

9.1 What Is Cybersecurity?

Cybersecurity can be defined as the protection of systems, networks and data in cyberspace. It refers to the **preventative methods** used to protect information from being stolen, compromised or attacked.

Cybersecurity is a complex issue that cuts across multiple domains and calls for multi-dimensional, multi-layered initiatives and responses. It has proved to be a challenge for the governments because it involves various ministries and departments. It is more difficult primarily due to the diffused and varied nature of the threats and the inability to frame an adequate response in the absence of tangible perpetrators.

Cyberspace has expanded dramatically in its brief existence due to rapid development of information technology (IT) and commercial applications associated with it. Advances in information and communication technologies have revolutionised the scientific, educational and commercial infrastructures developed by the government. The IT infrastructure has become an integral part of the critical infrastructure, which supports national capabilities such as energy, power grids, telecommunications, emergency communication systems, financial systems, defence systems, space, transport, land records, public essential services and utilities, law enforcement and security and air traffic control networks, to name a few. All these infrastructures increasingly depend on data relay for communication and commercial transactions. The operational stability and security of critical information infrastructure is vital for the economic security of the country.

The evolving nature of the telecommunications infrastructure poses further challenges. The expanding wireless connectivity to individual computers and networks is making determination of physical and logical boundaries of networks increasingly difficult. The increasing inter-connectivity and accessibility to computer-based systems that are critical to the country's economy are adding to the risk.

9.2 Cyberthreats

Cyberthreats vary from simple hacking of an email to waging a war against a state. Cyberthreats can be classified broadly into **two categories**:

1. **Cyber crime:** against individuals, corporates, etc.
2. **Cyberwarfare:** against a state

9.2.1 Cyber Crime

Use of cyberspace, i.e., computers, internet, cellphones, other technical devices, etc., to commit a crime by an individual or organised group is called **cyber crime**. Cyberattackers use numerous vulnerabilities in cyberspace to commit cyber crimes. They exploit the weaknesses in the software and h[illegible]esign through the use of malware. **Denial-of-Service (DoS)** [illegible]sed to overwhelm the targeted websites. Hacking is a common [illegible]g the defences of protected computer systems and interfering [illegible]ctioning. Identity theft is also common. The scope and nature of [illegible]nd vulnerabilities are multiplying with every passing day.

[illegible]ber crimes may be divided into **two categories**:

1. **Crimes that Target Computers Directly**
   They include the following:
   - Spreading **computer viruses**
   - **Denial-of-Service (DoS)** attack is an attempt to make a machine or network resource unavailable to its intended users. It temporarily or indefinitely interrupts or suspends services of a host connected to the Internet.
   - **Malware (malicious code)** is software used to disrupt computer operations, gather sensitive information or gain access to private computer systems. It can appear in the form of code, scripts, active content and other software. Malware is a general term used to refer to a variety of forms of hostile or intrusive software, for example Trojan Horses, rootkits, worms, adware, etc.
2. **Crimes Facilitated by Computer Networks or Devices, the Primary Target of which is Independent of the Computer Network or Device**
   This can take many forms as listed below:
   - Economic fraud to destabilise the economy of a country, attacks on banking transaction systems, extract money through fraud, acquisition of credit/debit card data, financial theft and intellectual theft of property
   - Impairing the operations of a website or service through data alteration, data destruction
   - Spreading pornography
   - Copyright infringement

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   - Spreading pornography
   - Copyright infringement

- Cyberstalking, outraging modesty of women, obscene content to humiliate girls and harm their reputation
- Threatening email
- Assuming fake identity, virtual impersonation
- Breach of right to privacy
- Misuse of social media in fanning intolerance, instigating communal tensions and inciting riots. Posting inflammatory material that tends to incite hate crimes (even former Prime Minister Manmohan Singh expressed deep concern on misuse of social media in sparking off communal sentiments in September)
- Information warfare
- Phishing scams

9.2.2 Key Terms of Cyberattack

- **Phishing:** Phishing is the act of attempting to acquire information, such as usernames, passwords and credit card details (and sometimes, indirectly, money too) by masquerading as a trustworthy entity in an electronic communication. Communications purporting to be from popular social websites, auction sites, banks, online payment processors or IT administrators are commonly used to lure unsuspecting public. Phishing emails may contain links to websites that are infected with malware. Phishing is typically carried out by email spoofing or instant messaging.
- **Vishing (Voice Phishing):** The term 'vishing' is a combination of 'voice' and 'phishing'. When phishing is done with the help of telephonic system, it is called vishing.
- **Tabnabbing:** Tabnabbing is one of the latest phishing technologies. It takes advantage of tabbed browsing (which uses multiple open tabs) that a user uses and silently redirects the user to the affected site. This technique operates in reverse to most phishing techniques as it does not directly take the user to the fraudulent site, but, instead, phishers load their fake page in one of the open tabs.
- **Whaling:** Several recent phishing attacks have been directed specifically at senior executives and other high profile targets within businesses, and the term whaling has been coined for these kinds of attacks.
- **Ransomware:** Where all the information/data of the computer are hacked and the hacker demands a certain amount of money in exchange for access to your own data. If the ransom is not paid, then the data are deleted forever, for example, Petya virus, Wannacry virus.
- **Adware** is unwanted software designed to throw advertisements up on your screen, most often within a web browser.

- **APT:** An advanced persistent threat (APT) is a broad term used to describe an attack campaign in which an intruder or team of intruders, establishes an illicit, long-term presence on a network in order to mine highly sensitive data.
- **Brute Force Attack:** It is a hacking method that uses trial and error to crack passwords, login credentials, and encryption keys.
- **Clickjacking** is an attack that tricks a user into clicking a webpage element which is invisible or disguised as another element. This can cause users to unwittingly download malware, visit malicious web pages, provide credentials or sensitive information, transfer money, or purchase products online.
- **DDoS:** A distributed denial-of-service (DDoS) attack is a malicious attempt to disrupt the normal traffic of a targeted server, service or network by overwhelming the target or its surrounding infrastructure with a flood of Internet traffic.
- **Honeypot:** It is a network-attached system set up as a decoy to lure cyber attackers and detect, deflect and study hacking attempts to gain unauthorized access to information systems. The function of a honeypot is to represent itself on the internet as a potential target for attackers -- usually, a server or other high-value asset -- and to gather information and notify defenders of any attempts to access the honeypot by unauthorized users.
- **Malware:** It is (short for 'malicious software') is a file or code, typically delivered over a network, that infects, explores, steals or conducts virtually any behavior an attacker wants.
- **Smishing:** It is a fraudulent practice of sending text messages purporting to be from reputable companies in order to induce individuals to reveal personal information, such as passwords or credit card numbers.
- **Spear Phishing:** It is a fraudulent practice of sending emails ostensibly from a known or trusted sender in order to induce targeted individuals to reveal confidential information.
- **Zero-day:** It is a broad term that describes recently discovered security vulnerabilities that hackers can use to attack systems. The term 'zero-day' refers to the fact that the vendor or developer has only just learned of the flaw – which means they have 'zero days' to fix it.
- **Spoofing:** A spoofing attack is a situation wherein one person or a programme successfully masquerades as another by falsifying data and thereby, gaining an illegitimate advantage. The purpose of this is usually to fool programmes, systems or users into revealing confidential information, such as user names and passwords, to the attacker.
- **Zombies:** A zombie is a computer connected to the Internet that has been compromised by a hacker, computer virus or trojan horse. It can

be used to perform malicious tasks under remote direction. Botnets of zombie computers are often used to spread email spams and launch DoS attacks. Most owners of zombie computers are unaware that their system is being used in this way. Because the owner tends to be unaware, these computers are metaphorically compared to zombies.

- **Botnets:** A botnet is a collection of Internet-connected programmes communicating with other similar programmes in order to perform tasks. They sometimes compromise computers whose security defences have been breached and control conceded to a third party. Each such compromised device, known as a **'bot'**, is created when a computer is penetrated by a software from a malware (malicious software) distribution.
- **Pharming:** It is an attack to redirect a website's traffic to a different, fake website, where the individual's information is then compromised.
- **Drive-by:** These are opportunistic attacks against specific weaknesses within a system.
- **Man in the Middle Attack (MITM):** It is an attack where a middleman impersonates each endpoint and is thus, able to manipulate both victims.
- **Spam:** The unsolicited sending of bulk email for commercial purposes is unlawful in some jurisdictions. While anti-spam laws are relatively new, limits on unsolicited electronic communications have existed for some time.

9.2.3 Cyberwarfare and Cyberterror

It is said that future wars will not be like traditional wars which are fought on land, water or air. Snowden's revelations have shown that cyberspace could become the theatre of warfare in the twenty-first century.

While there is no agreed definition of cyberwarfare but 'when any state initiates the use of Internet-based invisible force as an instrument of state policy to sabotage and espionage against another nation, it is called cyber war'. Attacking the information systems of other countries for espionage and for disrupting their critical infrastructure may be referred as cyberwarfare. It includes hacking of vital information, important webpages, strategic controls and intelligence.

The attacks on the websites of Estonia in 2007 and of Georgia in 2008 have been widely reported. Although, there is no clinching evidence of the involvement of a state in these attacks, it is widely held that in these attacks, non-state actors (for example, hackers) may have been used by state actors. Since these cyberattacks, the issue of cyberwarfare has assumed urgency in the global media.

When an organisation, working independently of a nation state, operates terrorist activities through the medium of cyberspace, it is generally called cyberterror.

An example of cyberwar was the United States' Stuxnet virus, which hacked Iran's nuclear enrichment programme.

In India, Cyber Terrorism is made punishable under Section 66 F IT act. Whoever commits or conspires to commit cyber terrorism shall be punishable with imprisonment which may extend to imprisonment for life.

9.2.3.1 Special Features of Cyberwar Compared to Traditional War

1. **Independent theatre of war:** The development of the Internet and low-cost wireless communication is the contemporary equivalent of what airplanes were a hundred years ago. Their use in economic, social and political transactions has increased at a rate that far exceeds the growth in airplane use over the last century. These technologies already play an important part in military operations in the traditional spheres of land, sea, air and the newer one of space. There are signs that they have used for aggressive purposes by some states. There is also ample evidence of their use by criminals and terrorist groups. It is only a matter of time, like air power a hundred years ago, before cyberspace becomes an independent theatre of war.

   There is one important nuance in the treatment of cyberspace as a fifth potential theatre of war, along with land, sea, air and space. The use of cyberspace depends on physical facilities like undersea cables, microwave and optical fibre networks, telecom exchanges, routers, data servers and so on. Protecting or attacking these is in the domain of the traditional arms of the military. Cyberspace is about attacks that compromise the capability to use these facilities – they cannot be prevented by the security services in isolation.

2. **Undefined space (no specific areas):** The defence of cyberspace has a special feature. The national territory or space that is being defended by the land, sea and air forces is well defined. Outer space and cyberspace are different. They are inherently international even from the perspective of national interest. It is not possible for a country to ignore what is happening in any part of this space if it is to protect the functionality of the cyberspace relevant for its own nationals. Moreover, a key part of this space, the global Internet system, is still under the control of one country. Hence, the national defence and international cooperation are inevitably intermeshed. This means that a country's government must ensure coherence between its security policy and the diplomatic stance taken by it in multilateral and bilateral discussions on matters like Internet and telecom governance, human rights related to information freedoms, trade negotiations on infotech services and so on.

3. **Disguised attackers:** There is another feature of cyberspace that complicates the design of security structures and policies compared to the other theatres of conflict. In cyberspace, it is very easy for an attacker to cover their tracks and even mislead the target into

believing that the attack has come from somewhere else. This difficulty in identifying the perpetrator makes it difficult to rely on the capacity to retaliate as a deterrent.

4. **No contact war:** The evolution of technology impacts the nature of conflict and war. Amongst the recent aspects of conflict is 'no contact war' wherein there is no 'physical' or 'kinetic' action across the borders. A future World War will most likely be a cyberwar. It will not be like traditional wars which were fought on territorial borders or in air space.

9.2.4 Dark Web and Bitcoin and Linkage to Terror Financing

Bitcoin is a **cryptocurrency**, a form of **electronic cash**. It is a decentralised digital currency without a central bank or single administrator that can be sent from user to user on the peer-to-peer bitcoin network without the need for intermediaries.

Transactions are verified by the network nodes through cryptography and recorded in a public distributed ledger called a blockchain. Bitcoin was invented by an unknown person or a group of people using the name **Satoshi Nakamoto** and released as an open-source software in **2009**. Bitcoins are created as a reward for a process known as **mining**. They can be exchanged for other currencies, products and services. Research by the **University of Cambridge** estimates that in 2017, there were 2.9 to 5.8 million unique users using a cryptocurrency wallet, most of them using bitcoin.

Bitcoin is something that one cannot earn and cannot be physically touched. It was initially created with a good intention but now it is being rampantly used by terrorists all across the world for ill purposes. Since it is a borderless currency and has an element of partial anonymity, it is now being used for money laundering and terror financing. It simply means that the local currency/fiat money can be used to buy crypto currency and that will be sold in a destination country in their local currency. In the whole process, the nature of money is converted from one form to another while borderless movement has been achieved.

The dark web is defined as the web lying below the surface web and deep web. Think of an iceberg and what you see above is Twitter, Facebook, YouTube, surfing websites, Gmail, etc. This is easily accessible but is not the entire chunk of the Internet. There is an entire chunk of Internet which is hiding under the surface but you cannot see it because of the hidden IP addresses. These are the people who attempt to hack email accounts and their activities are very hard to track on the Internet.

Speaking other way around, surface web is what we browse around while deep web is password protected and hidden behind one form of encryption. Dark web is the deepest virtual space which requires a deeper penetration and criminals are now using this space for their criminal and suspicious activities. Dark web has become the space for sale of narcotics, arms and other terror communication.

The dark web has often been confused with the deep web, the parts of the web not searchable by search engines. The term *dark web* first emerged in 2009, however, it is unknown when the actual dark web first emerged. Many internet users only use the *surface web*, data that can be accessed by a typical browser. The dark web forms a small part of the deep web, but requires custom software in order to access its content.

The dark web, also known as darknet websites, are accessible only through networks such as Tor ('The Onion Routing' project) that are created specifically for the dark web. Tor browser and Tor-accessible sites are widely used among the darknet users and can be identified by the domain '.onion'.

Identities and locations of darknet users stay anonymous and cannot be tracked due to the layered encryption system. The darknet encryption technology routes users' data through a large number of intermediate servers, which protects the user's identity and guarantees anonymity. Thus, communication between darknet users is highly encrypted allowing users to talk, blog, and share files confidentially.

Terrorist organizations took to the internet as early as the 1990s, however, the birth of the dark web attracted these organizations due to the anonymity, lack of regulation, social interaction, and easy accessibility. These groups have been taking advantage of the chat platforms within the dark web to inspire terrorist attacks. Groups have even posted "How To" guides, teaching people how to become and hide their identity as terrorist.

The dark web became a forum for terrorist propaganda, guiding information, and most importantly, funding. With the introduction of Bitcoin, anonymous transactions were created which allowed for anonymous donations and funding. By accepting Bitcoin, terrorists were now able to fund money to purchase weaponry.

Within the dark web, there exist emerging social media platforms similar to those on the World Wide Web, this is known as the Dark Web Social Network (DWSN). The DWSN works like a regular social networking site where members can have customizable pages, have friends, like posts, and blog in forums. Facebook and other traditional social media platforms have begun to make dark-web versions of their websites to address problems associated with the traditional platforms and to continue their service in all areas of the World Wide Web. Unlike Facebook, the privacy policy of the DWSN requires that members are to reveal absolutely no personal information and remain anonymous.

There have been arguments that the dark web promotes civil liberties, like 'free speech, privacy, anonymity'. Some prosecutors and government agencies are concerned that it is a haven for criminal activity.

Policing of dark web is still a big challenge for security forces.

The **Financial Action Task Force (FATF)** is an intergovernmental organisation which has set out very clear guidelines for the financial industry to regulate the movement of currency.

9.3 Snowden Revelations

Edward Joseph Snowden is an American computer professional, a former employee of the **Central Intelligence Agency (CIA)** and former contractor for the **National Security Agency (NSA)**.

He hogged international limelight when he disclosed to several media outlets thousands of classified documents. Snowden's release of classified material has been described as the most significant leak in US history. The US Department of Justice charged Snowden with espionage.

Snowden's leaked documents uncovered the existence of numerous global surveillance programmes, many of them run by the NSA with the cooperation of telecommunication companies and the European governments. The massive extent of NSA's spying, both foreign and domestic, was revealed to the public in a series of detailed disclosures of internal NSA documents. In 2013, the existence of the 'Boundless Informant' was revealed, along with the PRISM electronic data mining programme, the XKeyscore analytical tool, the Tempora interception project, the MUSCULAR access point and the massive FASCIA database, which contains trillions of device-location records. In the following year, Britain's Joint Threat Research Intelligence Group was revealed, along with the Dishfire database, Squeaky Dolphin's real-time monitoring of social media networks and the bulk collection of private webcam images via the Optic Nerve programme.

The disclosures have fuelled debates over mass surveillance, government secrecy and the balance between national security and information privacy.

9.3.1 Modus Operandi of Widespread Cybersnooping by the National Security Agency (NSA)

Basically, **three major players** were used by the NSA:

- Different nations
- Domestic/foreign agencies
- Private players within and outside the United States

Data were collected through:

- Telecom operators from the Global Optic Fibre Network
- Servers of the US-based Internet giants like Google and Microsoft
- Hardware manufacturers like Cisco and Juniper
- Large-scale malware operations and Firewall
- Off-the-air components, including Wi-Fi, GSM, CDMA and satellite signals in alliance with Australia, New Zealand and South Africa
- Taps placed on the undersea cables in South America, North of Africa and the Indian Ocean
- Monitoring international payments, banking transactions
- iPhones, Blackberry and Android operating system

9.3.2 Vulnerability of Indian Cyberspace

The documents leaked by Snowden indicate that much of the NSA surveillance was focused on India's domestic politics and its strategic and commercial interests, exposing India's vulnerability to cybersnooping in all sectors. India was fifth among the targeted countries. The United States has had a major influence on the development of cyberspace by virtue of the fact that much of the initial infrastructure and use was centred in that country and it continues to be a major force in its development and use. The United States has thus been in a position to fend off periodic attempts to challenge its supremacy, and those times when it could not, it has been forced to shed some of its control.

9.3.3 Impact of the Snowden Revelations

1. It will pave the way for the **Internet Governance Era**. Microsoft recently allowed foreign customers to have their personal data stored on servers outside America. Hence, the consequence of Snowden's leaks is that the countries and companies would erect borders of sorts in cyberspace.
2. Following the shocking revelations about governments' widespread monitoring of global communications, it is clear that all facets of the cybersecurity world have been indelibly changed, from ordinary people having their eyes opened to what is really going on, to governments becoming ever-more distrustful of each other.
3. Some experts believe the technical details contained in the documents leaked by Snowden had weakened the security situation in the western countries, decreasing the level of security in the United States and the United Kingdom in particular. They feel the leaks were a 'gift' to allow terrorists to 'evade us and strike at will'. It is being said that as fallout of the revelations, the Al-Qaeda has changed the way it communicates.
4. One of the biggest impacts Snowden has had on the world is that his leaks have led to an acceleration of cyberarms race around the world.

There is a greater awareness among the masses about the right to privacy. People have become conscious. Even Barack Obama, the former President of the United States, conceded that those leaks triggered a passionate and welcome debate about American snooping.

9.4 Threat to India's Cyberspace

Revelations from the **Cambridge Analytica** scandal show how democracies across the world – the United States, the United Kingdom, EU and even India – are vulnerable to cyber manipulation. It is also clear from Snowden's revelations that India's cyberspace is almost unprotected. Till now, we only

have very basic security features. We have started considering advanced features only after the Snowden revelations. All our vital institutions, installations and critical infrastructure need to be protected from cyberattacks. The **future war will target crucial areas** such as:

- Defence installations
- Sensitive documents related to both internal and external security
- Communication networks, including satellites
- ATC management
- Railway traffic control
- Financial services
- Premier institutions of science, technology and research

9.4.1 Critical Infrastructure (CI) and Critical Information Infra-Structure (CII)

The Information Technology Act, 2000 defines Critical Information Infrastructure (CII) as '... those computer resource, the incapacitation or destruction of which, shall have debilitating impact on national security, economy, public health or safety'. NCIIPC has broadly identified the following as 'Critical Sectors':

- Power and Energy
- Banking, Financial Services and Insurance
- Telecom
- Transport
- Government
- Strategic and Public Enterprises

CII are those ICT infrastructure upon which the core functionality of critical infrastructure is dependent.

CII is highly complex, distributed, interconnected and interdependent.

9.4.1.1 Threats to CII

Threats to CII are classified as follows:

- **Internal threat:** It is defined as 'one or more individuals with the access and/or inside knowledge of a company, organisation or enterprise that would allow them to exploit the vulnerabilities of that entity's security, systems, services, products or facilities with the intent to cause harm'. Insider betrayals cause losses due to IT sabotage, fraud and theft of confidential or proprietary information. This may be intentional or due to ignorance.
- **External threat:** This threat arises from outside of the organisation, by individuals, hackers, organisations, terrorists, foreign government agents, non-state actors, and pose risk, like crippling CII, espionage, cyber/electronic warfare, cyberterrorism, etc.

Threat may be caused by individuals, including disgruntled or former employees, rivals (industrial espionage), hackers, script kiddies, crackers, cybercriminals (organised as well as unorganised), cyber mercenaries, terrorist groups (cyber jehadis), non-state actors and hostile states.

Effects of cyberattacks on CII:

- Damage or destruction of CII
- Disruption or degradation of services
- Loss of sensitive and strategic information
- Widespread damage in a short time
- Cascading effects on several CII

9.5 Steps Taken By the Government of India

The following **steps have been taken** by the Centre:

- The government has identified a list of critical computer infrastructure which need special protection against cyberattacks. Included in this list are networks related to the national security, defence, banks, stock markets, power grids, railways and airlines, weather and many others.
- A **national policy on cybersecurity** was framed in 2013.
- A **National Critical Information Infrastructure Protection Centre (NCIIPC)** is in the process of being set up to create a fool-proof firewall around these networks.
- The creation of the NCIIPC is just one of the many ideas being implemented as part of the Framework for Cybersecurity that was recently approved by the Cabinet Committee on Security.
- A **multi-agency National Cyber Coordination Centre** to make assessment of cyberthreats and share information with stakeholders is also being set up.
- A Centre of Excellence in Cryptology, the science of encrypting data, is being established at the Indian Institute of Statistics in Kolkata.
- Attacks on the Indian networks have come mainly from the computers based in twenty countries, including the United States, the United Kingdom, Germany, France, Brazil, Poland and the Netherlands. One such attempt was to jeopardise the Delhi Commonwealth Games in 2010. Hackers had tried to get into the computer systems to tamper with the timers and scoring machines.
- The government had come up with a 'roadmap on cybersecurity', which has laid stress on collaboration between the government and private sector in this area.
- As a follow-up to that, the government has set up three cyber-forensic laboratories in Bangalore, Pune and Kolkata in association with the

software industry group NASSCOM. Nine more such laboratories are planned in partnership with the state governments.

- A **cyber crisis management plan** has already been put in place, with the state governments as an integral part.
- CERT-In or Computer Emergency Response Team (India), the nodal agency to deal with such crisis is being replicated on a smaller scale for specific sectors.
- The defence establishment has already set up a sectoral CERT for itself. Railways and the power sector are also planning to have a CERT of their own.
- In pursuit of protection of critical sectors of the Indian economy, India has launched FIN-CERT, for India's financial sector.

9.5.1 Cyber Surakshit Bharat Initiative

- It has been launched by the **Ministry of Electronics and Information Technology (MeitY)**, in association with **National e-Governance Division (NeGD)** and industry partners, to strengthen the cybersecurity ecosystem in India.
- It is the **first public–private partnership** of its kind and will leverage the expertise of the IT industry in cybersecurity.
- The founding partners include leading IT companies such as **Microsoft, Intel and WIPRO**. Its knowledge partners include Cert-In, NIC, NASSCOM and consultancy firms Deloitte and EY.
- It will be operated on the three principles of awareness, education and enablement.
- It aims to **spread awareness** about cyber crime and build capacity of Chief Information Security Officers (CISOs) and frontline IT staff across all government departments.
- It will include a **series of workshops** on the best practices and enablement of the officials with cybersecurity health tool kits to manage and mitigate cyberthreats.

9.5.2 National Cybersecurity Policy, 2013

The **Department of Electronics and Information Technology (DeitY)** under the Ministry of Communication and Information Technology, Government of India, released the **National Cybersecurity Policy, 2013,** to build a secure and resilient cyberspace for citizens, businesses and government.

The **mission of this policy** is to (1) protect information and information infrastructure in cyberspace, (2) build capabilities to prevent and respond to cyberthreat, (3) reduce vulnerabilities and (4) minimise damage from cyberincidents through a combination of institutional structures, people, processes, technology and cooperation.

9.5.2.1 Objectives

The **objectives of this policy** are defined below.

1. To create a **secure cyber ecosystem** in the country, generate adequate trust and confidence in IT systems and transactions in cyberspace and thereby, enhance adoption of IT in all sectors of the economy
2. To create an **assurance framework** for design of security policies and for promotion and enabling actions for compliance to global security standards and best practices by way of conformity assessment (product, process, technology and people)
3. To strengthen the **regulatory framework** for ensuring a secure cyberspace ecosystem
4. To enhance and create **national and sectoral level 24 × 7 mechanisms** for obtaining strategic information regarding threats to ICT infrastructure, creating scenarios for response, resolution and crisis management through effective predictive, preventive, protective, response and recovery actions
5. To enhance the **protection and resilience** of India's critical information infrastructure by operating a 24 × 7 **National Critical Information Infrastructure Protection Centre (NCIIPC)** and mandating security practices related to the design, acquisition, development, use and operation of information resources
6. To develop suitable **indigenous security technologies** through frontier technology research, solution-oriented research, proof of concept, pilot development, transition, diffusion and commercialisation leading to widespread deployment of secure ICT products/processes in general and specifically for addressing national security requirements
7. To improve the **visibility of the integrity of ICT products and services** by establishing an infrastructure for testing and validation of security of such products
8. To create a **workforce** of 500,000 professionals skilled in cybersecurity in the next five years through capacity building, skill development and training
9. To provide **fiscal benefits to businesses** for adoption of standard security practices and processes
10. To enable the **protection of information** while in process, handling, storage and transit so as to safeguard privacy of citizen's data and for reducing economic losses due to cyber crime or data theft
11. To enable **effective prevention, investigation and prosecution** of cyber crime and enhancement of law enforcement capabilities through appropriate legislative intervention

12. To create a culture of **cybersecurity and privacy** enabling responsible user behaviour and actions through an effective communication and promotion strategy
13. To develop **effective public private partnerships and collaborative engagements** through technical and operational cooperation and contribution for enhancing the security of cyberspace
14. To enhance **global cooperation** by promoting shared understanding and leveraging relationships for furthering the cause of security of cyberspace
15. To **encourage all organisations**, private and public, to designate a member of senior management as Chief Information Security Officer (CISO), responsible for cybersecurity efforts and initiatives
16. To encourage all the organisations to **develop information security policies** duly integrated with their business plans and implement such policies as per the international best practices. Such policies should include establishing standards and mechanisms for secure information flow (while in process, handling, storage and transit), crisis management plan, proactive security posture assessment and forensically enabled information infrastructure
17. To ensure that all organisations earmark a **specific budget** for implementing cybersecurity initiatives and for meeting emergency response arising out of cyberincidents
18. To provide **fiscal schemes and incentives** to encourage entities to install, strengthen and upgrade information infrastructure with respect to cybersecurity
19. To **prevent occurrence and recurrence of cyberincidents** by way of incentives for technology development, cybersecurity compliance and proactive actions
20. To establish a **mechanism for sharing information and for identifying and responding** to cybersecurity incidents and for cooperation in restoration efforts
21. To encourage entities to **adopt the guidelines for procurement** of trustworthy ICT products and provide for procurement of indigenously manufactured ICT products that have security implications

9.5.2.2 Main Features

The main features of the **National Cybersecurity Policy, 2013** include the following:

1. To promote the **adoption of global best practices** in information security and compliance and thereby, enhance cybersecurity posture
2. To create and maintain **testing infrastructure and facilities** for IT security product evaluation and compliance verification as per global standards and practices

3. To create **awareness of the threats, vulnerabilities and consequences** of breach of security among entities for managing supply chain risks related to IT (products, systems or services) procurement
4. To foster **education and training programmes** both in formal and informal sectors to support the nation's cybersecurity needs and build capacity
5. To establish **cybersecurity training infrastructure** across the country by way of public–private partnership arrangements
6. To establish **institutional mechanisms** for capacity building for the law enforcement agencies
7. To promote and launch a **comprehensive national awareness programme** on security of cyberspace
8. To sustain **security literacy awareness and publicity campaign** through electronic media to help citizens to be aware of the challenges of cybersecurity
9. To create a **think tank for cybersecurity policy** inputs, discussion and deliberations
10. To develop **bilateral and multi-lateral relationships** in the area of cybersecurity with other countries
11. To enhance **national and global cooperation** among the security agencies, CERTs, defence agencies and forces, the law enforcement agencies and the judicial systems
12. To create **mechanisms for dialogue related to technical and operational aspects** with industry in order to facilitate efforts in recovery and resilience of systems, including critical information infrastructure

9.5.2.3 Assessment of National Cybersecurity Policy (NCSP), 2013

- Security risks associated with cloud computing have not been addressed
- There is also a need to incorporate cyber crime tracking, cyberforensic capacity building and creation of a platform for sharing and analysis of information between public and private sectors on a continuous basis.

9.5.3 National Critical Information Infrastructure Protection Centre (NCIIPC)

The centre is setting up the National Critical Information Infrastructure Protection Centre (NCIIPC) which functions as a specialised unit under the **National Technical Research Organisation (NTRO)**. Under **Section 70A of the IT Act**, NCIIPC, under NTRO, is declared as the nodal agency for protection of critical information infrastructure of India.

NCIIPC, under its mandate from **Section 70A(2) of IT Act**, is responsible for all measures including research and development for protection of critical information infrastructure.

NCIIPC's vision is 'to facilitate safe, secure and resilient information infrastructure for critical sectors of the nation'.

NCIIPC's mission is 'to take all necessary measures to facilitate protection of critical information infrastructure from unauthorised access, modification, use, disclosure, disruption, incapacitation or destruction through coherent coordination, synergy and raising information security awareness among all stakeholders'.

9.5.3.1 Functions

The **functions of NCIIPC** include the following:

1. Identification of critical sub-sectors
2. Study of information infrastructure of identified critical sub-sectors
3. Issue of daily/monthly cyberalerts/advisories
4. Malware analysis
5. Tracking zombies and malware spreading IPs
6. Cyberforensics activities
7. Research and development for a smart and secure environment
8. Facilitate CII owners in adoption of appropriate policies, standards, best practices for protection of CII
9. Annual CISO Conference for critical sectors
10. Awareness and training
11. 24 × 7 operation and helpdesk

The NTRO has identified **17 sub-sectors** initially and has started activities for 7 sub-sectors and organisations named below:

- Air traffic management (ATM), civil aviation (transportation)
- Power grid (Energy)
- MTNL
- NSEI
- BSNL
- Railways
- SBI

Each organisation/ministry in critical sector should nominate a Nodal Officer (CISO) for interaction with NCIIPC. CISO will be the point of contact for NCIIPC.

9.5.3.2 Roles and Responsibilities of Chief Information Security Officer (CISO)

CISO responsibilities include, but are not limited to, the following:

- Build an information security culture
- Assist the senior management in the development, implementation and maintenance of an information security infrastructure
- Develop, communicate and ensure compliance with the organisational information security policy, standards and guidelines
- Ensure regulatory and standards compliance
- Develop a security awareness and training programme
- Periodically conduct internal audits to check compliance with organisational security policy, standard and guidelines
- Risk management
- Incident management
- Business continuity management
- Assist the senior management in acquisition of products, tools and services related to information and related technology

Cyber Crisis Management Plan (CCMP)

This plan discusses types of cyber incidents, policies, actions and responsibilities for a coordinated, approach to prepare for rapid identification, information exchange, response, and remediation to mitigate and recover from malicious cyber related incidents impacting critical business functions and processes of the government of state.

This plan takes into consideration the crisis that occurs due to cybersecurity incidents and breaches, and presents a broad-based approach to deal with such crisis. The approach and methodology of this Cyber Crisis Management plan is derived from the Cyber Crisis Management Plan for countering cyber-attacks and cyber terrorism prepared by CERT-In, MeitY, Government of India.

The field of cybersecurity is technology intensive and new vulnerabilities emerge with progress in technology giving rise to new types of incidents. As such, the plan of response to cybersecurity incidents need to be updated on regular basis, preferably once in a year.

The Cyber Crisis Management Plan (CCMP) aims at countering cyber attacks and cyber terrorism which outlines the framework of government of state for dealing with cyber related incidents.

The Cyber Crisis Management Plan:

a. Identification of all organisational units under the domain of Government of Uttarakhand or any other state.
b. Inventory of all Critical Information Assets.
c. Risk assessment and risk management (Ref. ISO 27005:2011)

d. Business Impact Analysis
e. Contingency plan for IT systems
f. Describes a framework for dealing with cyber related incidents
g. Describes methodology for a coordinated, multi-disciplinary and broad based approach for rapid identification, information exchange
h. Defines quick response and remedial actions to mitigate and recover from malicious cyber related incidents impacting critical business functions

9.5.4 National Telecom Security Policy (NTSP)

The NTSP has been formulated with a **view to build in the security features** in the systems, services, technologies, equipment, devices and software rather than being an add-on feature. It is a structured policy to deal with issues related to the requirement of the security agencies and to secure the telecom network in the country. It **deals with the four broad issues** of communication assistance to security agencies, security of communication, information and data, security of telecom network and disaster management. The NTSP puts emphasis on indigenisation of sophisticated telecom equipment so that they could be produced and installed in a secure environment with all checks and balances.

9.6 Legal Framework

9.6.1 Information Technology Act, 2000 (Amended in 2008)

The Information technology Act, 2000 consists of 94 sections segregated into 13 chapters. The Act was **amended in 2008** and now has **124 sections**. **Salient features of the IT Act are as follows:**

1. The Act provides **legal recognition** to e-commerce, which facilitates commercial e-transactions.
2. It recognises the **records kept in an electronic form** like any other documentary record. In this way, it brings the electronic transactions at par with paper transactions in documentary form.
3. The Act also provides **legal recognition** to the digital signatures which need to be duly authenticated by the certifying authorities.
4. **A Cyber Law Appellate Tribunal** has been set up to hear appeals against the adjudicating authorities.
5. The provisions of the IT Act have **no application** to negotiable instruments, power of attorney, trust, will and any contract for sale or conveyance of immovable property.
6. The Act applies to any **cyberoffence or contravention** committed outside India by a person irrespective of their nationality.

7. As provided under **Section 90** of the Act, the state government may, by notification in **Official Gazette**, make rules to carry out the provisions of the Act.
8. Consequent to the passing of this Act, the SEBI had announced that trading of securities on the Internet will be valid in India but initially there was no specific provision for protection of confidentiality and net trading. This lacuna has been removed by the **IT (Amendment) Act, 2008**.

9.6.2 Offences Under the IT Act

9.6.2.1 Section 65: Tampering With Computer Source Documents

Whoever knowingly or intentionally conceals, destroys or alters any computer source code used for a computer, computer programme, computer system or computer network, when the source code is required to be kept or maintained by the law shall be punishable with an imprisonment up to three years or with fine which may extend up to ₹2 lakh or with both.

9.6.2.2 Section 66: Hacking With Computer System

1. Whoever with the intent of cause or knowing that is likely to cause, wrongful loss or damage to the public or any person destroys or deletes or alters any information residing in a computer resource or diminishes its value or utility or affects it injuriously by any means, commits hacking.
2. Whoever commits hacking shall be punished with an imprisonment up to three years, or with fine which may extend up to ₹2 lakh or with both.

9.6.2.3 Section 66-A: Sending Offensive Messages Through Communication Service, etc. (Introduced Vide Amendment in 2008)

(a) Any person who sends, by means of a computer resource or a communication device,

(b) Any information that is grossly offensive or has menacing character, or

(c) Any information which he knows to be false, but for the purpose of causing annoyance, inconvenience, danger, obstruction, insult, injury, criminal intimidation, enmity, hatred or ill-will, persistently makes by making use of such computer resource or a communication device, or

(d) Any electronic mail or electronic mail message for the purpose of causing annoyance or inconvenience or to deceive or to mislead the addressee or recipient about the origin of such messages shall be punishable with an imprisonment for a term which may extend to three years and with fine.

(Above Section 66-A of the IT Act has been repealed by the Supreme Court)

66-B Dishonestly receiving stolen computer resource or communication device – imprisonment up to three years and/or fine up to ₹1 lakh

66-C Identity theft – Imprisonment of either description up to three years and/or fine up to ₹1 lakh

66-D Cheating by personation by using a computer resource – imprisonment of either description up to three years and/or fine up to ₹1 lakh

66-E Violation of privacy – imprisonment up to three years and/or fine up to ₹2 lakh

66-F Cyberterrorism – imprisonment extends to imprisonment for life

67 Publishing or transmitting obscene material in an electronic form On first Conviction, imprisonment up to three years and/or fine up to ₹5 lakh On Subsequent Conviction – imprisonment up to five years and/or fine up to ₹10 lakh

67-A Publishing or transmitting of material containing sexually explicit act, etc... in an electronic form On first Conviction imprisonment up to five years and/or fine up to ₹10 lakh On Subsequent Conviction – Imprisonment up to seven years and/or fine up to ₹10 lakh

67-B Publishing or transmitting of material depicting children in sexually explicit act, etc., in an electronic form On first Conviction imprisonment of either description up to five years and/or fine up to ₹10 lakh on subsequent conviction – imprisonment of either description up to seven years and/or fine up to ₹10 lakh

67-C Intermediary intentionally or knowingly contravening the directions about preservation and retention of information – imprisonment up to three years and fine

68 Failure to comply with the directions given by the controller – imprisonment up to two years and/or fine up to ₹1 lakh

69 Failure to assist the agency referred to in sub-section (3) in regard interception or monitoring or decryption of any information through any computer resource – imprisonment up to seven years and fine

69-A Failure of the intermediary to comply with the direction issued for blocking for public access of any information through any computer resource – imprisonment up to seven years and fine

69-B Intermediary who intentionally or knowingly contravenes the provisions of sub-section (2) in regard monitor and collect traffic data or information through any computer resource for cybersecurity – imprisonment up to three years and fine

70 Any person who secures access or attempts to secure access to the protected system in contravention of provision of Section 70 – imprisonment of either description up to 10 years and fine

70-B Indian Computer Emergency Response Team to serve as national agency for incident response. Any service provider, intermediaries, data centres, etc. who fails to prove the information called for or comply with the direction issued by the ICERT-Imprisonment up to one year and/or fine up to ₹1 lakh

71 Misrepresentation to the controller to the Certifying Authority – imprisonment up to two years and/ or fine up to ₹1 lakh

72 Breach of Confidentiality and privacy – imprisonment up to two years and/or fine up to ₹1 lakh

72-A Disclosure of information in breach of lawful contract – imprisonment up to three years and/or fine up to ₹5 lakh

73 Publishing electronic Signature Certificate false in certain particulars – imprisonment up to two years and/or fine up to ₹1 lakh

74 Publication for fraudulent purpose – imprisonment up to two years and/or fine up to ₹1 lakh

The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021

These Rules substantially empower the ordinary users of digital platforms to seek redressal for their grievances and command accountability in case of infringement of their rights. In this direction, the following developments are noteworthy:

- The Supreme Court in suo-moto writ petition (Prajjawala case) vide order dated 11/12/2018 had observed that the Government of India may frame necessary guidelines to eliminate child pornography, rape and gangrape imageries, videos and sites in content hosting platforms and other applications.
- The Supreme Court vide order dated 24/09/2019 had directed the Ministry of Electronics and Information Technology to apprise the timeline in respect of completing the process of notifying the new rules.
- There was a Calling Attention Motion on the misuse of social media and spread of fake news in the Rajya Sabha and the Minister had conveyed to the house on 26/07/2018, the resolve of the government to strengthen the legal framework and make the social media platforms accountable under the law. He had conveyed this after repeated demands from the Members of the Parliament to take corrective measures.
- The Ad-hoc committee of the Rajya Sabha laid its report on 03/02/2020 after studying the alarming issue of pornography on social media and its effect on children and society as a whole and recommended for enabling identification of the first originator of such contents.

Salient Features

Guidelines Related to Social Media to Be Administered by Ministry of Electronics and IT:

- **Due Diligence To Be Followed By Intermediaries:** The rules prescribe due diligence that must be followed by intermediaries, including social media intermediaries. In case, due diligence is not followed by the intermediary, safe harbour provisions will not apply to them.
- **Grievance Redressal Mechanism:** The rules seek to empower the users by mandating the intermediaries, including social media intermediaries, to establish a grievance redressal mechanism for receiving resolving complaints from the users or victims. Intermediaries shall appoint a grievance officer to deal with such complaints and share the name and contact details of such officer. Grievance officer shall acknowledge the complaint within twenty four hours and resolve it within fifteen days from its receipt.
- **Ensuring Online Safety and Dignity of Users, Especially Women Users:** Intermediaries shall remove or disable access within 24 hours of receipt of complaints of contents that exposes the private areas of individuals, show such individuals in full or partial nudity or in sexual act or is in the nature of impersonation including morphed images etc. Such a complaint can be filed either by the individual or by any other person on their behalf.
- **Two Categories of Social Media Intermediaries:** To encourage innovations and enable growth of new social media intermediaries without subjecting smaller platforms to significant compliance requirement, the rules make a distinction between social media intermediaries and significant social media intermediaries. This distinction is based on the number of users on the social media platform. Government is empowered to notify the threshold of user base that will distinguish between social media intermediaries and significant social media intermediaries. The rules require the significant social media intermediaries to follow certain additional due diligence.
- **Additional Due Diligence to Be Followed by Significant Social Media Intermediary:**
  - Appoint a **Chief Compliance Officer** who shall be responsible for ensuring compliance with the Act and rules. Such a person should be a resident of India.
  - Appoint a **Nodal Contact Person** for 24 x 7 coordination with law enforcement agencies. Such a person shall be a resident in India.
  - Appoint a **Resident Grievance Officer** who shall perform the functions mentioned under Grievance Redressal Mechanism. Such a person shall be a resident in India.

- Publish a **monthly compliance report** mentioning the details of complaints received and action taken on the complaints as well as details of contents removed proactively by the significant social media intermediary.
- Significant social media intermediaries providing services primarily in the nature of messaging shall enable **identification of the first originator of the information** that is required only for the purposes of prevention, detection, investigation, prosecution or punishment of an offence related to sovereignty and integrity of India, the security of the state, friendly relations with foreign states, or public order or of incitement to an offence relating to the above or in relation with rape, sexually explicit material or child sexual abuse material punishable with imprisonment for a term of not less than five years. **Intermediary shall not be required to disclose the contents of any message** or any other information to the first originator.
- Significant social media intermediary shall have a physical contact address in India published on its website or mobile app or both.
- **Voluntary User Verification Mechanism:** Users who wish to verify their accounts voluntarily shall be provided an appropriate mechanism to verify their accounts and provided with demonstrable and visible mark of verification.
- **Giving Users An Opportunity to Be Heard:** In cases where significant social media intermediaries removes or disables access to any information on their own accord, then a prior intimation for the same shall be communicated to the user who has shared that information with a notice explaining the grounds and reasons for such action. Users must be provided an adequate and reasonable opportunity to dispute the action taken by the intermediary.

- **Removal of Unlawful Information:** An intermediary upon receiving actual knowledge in the form of an order by a court or being notified by the appropriate government or its agencies through authorized officer should not host or publish any information which is prohibited under any law in relation to the interest of the sovereignty and integrity of India, public order, friendly relations with foreign countries etc.
- The rules will come in effect from the date of their publication in the gazette, except for the **additional due diligence for significant social media intermediaries**, which shall **come in effect three months after** publication of these rules.

9.6.3 Personal Data Security Bill

Security of personal data has become a big issue in recent times. So much personal data are stored in various social platforms which makes it more

vulnerable for misuse. Recently, the database of Marriott International hotel chain was hacked and the personal detail of fifty crore guests was stolen. This emphasises the need for having a personal data bill.

A committee was formed under the **Supreme Court Justice, B. N. Srikrishna** to draft the **Personal Data Protection bill, in 2018**.

9.6.3.1 What is Personal Data?

The bill defines 'personal data' as:

> **'...data about or relating to a natural person who is directly or indirectly identifiable, having regard to any characteristic, trait, attribute or any other feature of the identity of such natural person, or any combination of such features, or any combination of such features with any other information'.**

It goes on to define **sensitive personal data**, which include anything that reveal or relate to crucial information like financial details or passwords, to gender and even caste.

9.6.3.2 What Are Your Rights?

The bill proposes four rights that every citizen would have over their data:

1. **Right to confirmation and access:** Every citizen can ask the companies to confirm if any of their data have been used for any processes, and also share the details of what data were used and for what purpose.
2. **Right to correction:** Indian citizens can ask the companies to correct any inaccurate, misleading or incomplete personal data they have.
3. **Right to data portability:** Every Indian can ask the companies to share the details of their personal data that have been generated while they were using a service or goods.
4. **Right to be forgotten:** A person can restrict a company from using the data they had shared earlier. This right does not make it mandatory for the companies to delete such data altogether.

9.7 International Cooperation in Cybersecurity

9.7.1 Budapest Convention on Cyber Crime, 2001

- This convention of the **council of Europe** is the only binding international instrument on this issue.
- It is the **first international treaty** on crimes committed via the Internet and other computer networks and deals with issues such as infringements of copyright, computer-related fraud, child pornography and violations of network security.

- It aims to pursue a **common criminal policy**, especially by adopting appropriate legislation and fostering international police as well as judicial cooperation.
- It provides for **procedural law tools** to make investigation of cyber crime and securing of e-evidence in relation to any crime more effective.
- It is supplemented by a **Protocol on Xenophobia and Racism** committed through computer systems.

9.7.2 Global Centre for Cybersecurity

- It has been launched by the **World Economic Forum (WEF)** with its headquarter in **Geneva**.
- It will function as an **autonomous organisation under the WEF**. It will serve as a laboratory and early-warning think-tank for future cybersecurity scenarios and help to build a safe and secure global cyberspace.
- Its aim is to **establish first global platform** for the governments, businesses, experts and law enforcement agencies to collaborate on cybersecurity challenges and work towards an appropriate and agile regulatory framework on cybersecurity.
- It will draw on the WEF's **government and industry support** to work towards more secure cyberspace through multi-stake holder approach.

9.7.3 Global Conference on Cyberspace

This conference is **held since 2011 biennially**. The participants include governments, civil society, private sector and the theme is cooperation in cyberspace and enhancing cybercapacity building. **India hosted the Global Conference on Cyberspace in 2017.**

9.7.4 'Commonwealth Cyber Declaration' at the Commonwealth Summit, 2018

This is the **world's largest and most geographically diverse** inter-governmental commitment on cybersecurity cooperation.

Commonwealth heads of government commit to the following:

(i) A cyberspace that supports economic and social development and rights online

(ii) Build the foundations of an effective national cybersecurity response

(iii) Promote stability in cyberspace through international cooperation

It was **signed in the United Kingdom in April 2018**.

9.8 Social Media

Social media refers to an **Internet-based communication** among the people who create, share and exchange their ideas, photos, videos and information on a virtual cyber platform. Its reach and popularity among the people has rapidly increased over the last few years, primarily due to a sharp rise in the number of Internet users and cell phone users. It is claimed that the people spend more than twenty per cent of the time spent on the Internet on social media. Nearly twenty crore people use the Internet in India. It is likely that it will soon overtake the United States as far as number of the Internet users is concerned. People freely exercise their right to express on social media as well as they get access to faster information and knowledge. Knowledge is power. Information is power. Social media includes Facebook, Twitter, YouTube, blogs, new microblogging sites, etc.

9.8.1 How is Social Media Different from Traditional Media?

Social media is a **new form of media**. It is **different from traditional media** in the following ways:

1. It **rapidly passes information** to its users. It is distinct from traditional media because it provides **real-time communication** of information. Information on social media is widely spread within a very short time so its impact is much far than traditional print and also it is faster than traditional modes for communication, like telephone, postal and face-to-face communication.
2. Traditional print media and electronic media are controlled by big media houses. Their control is limited to a selected few. So they exercise their monopoly by influencing the masses, elections and politics through modified distorted version of news items. But **social media is in the hands of people**. It cannot be controlled by any individual or any group. So, social media has broken the monopoly of the big media houses. Social media has ensured a **greater transparency** than the traditional media. In fact, the electronic media and print media are also becoming available on social media now.
3. Traditional media provides one-way communication. It only provides information to the users but the people discuss and debate on current issues, important policies, etc. on the social media. So, social media has not only enhanced transparency and accountability of the government, it has also **made our democracy more participatory**. It has developed a culture of debate that is the most important requirement for strengthening any democracy.

9.8.2 Positive Usage of Social Media

The **positive usage of social media** includes the following:

- Social awareness
- Cheapest and fastest form of communication
- Spread of social activism like movements against corruption and sexual harassment, etc.
- Promoting a culture of debate and discussion
- Breaking the monopoly of big media houses
- Participatory democracy

9.8.3 Negative Usage of Social Media

The **negative usage of social media** includes the following:

- Instigating riots
- Spreading misinformation
- Terrorism, anti-national activities
- False opinion building
- Addiction
- Inciting communal violence

9.9 Key Issues

Since the last two-three years, a debate has been going on regarding use/misuse of social media. On one hand are the issues of freedom of expression and right of privacy while on the other are the issues of hurting religious sentiments, promoting hatred, enmity between different classes and groups, causing annoyance, criminal defamation, etc. We know that there has to be a fine balance between the two; while freedom of expression envisaged in the Constitution is the right of individual but we have to exercise it within the limits of law. We have to see that we do not hurt others feelings which create law and order problems for the administration. We have to take care of the rights of others too.

Probable Questions Based on This Chapter

1. Explain the following terms:
   (a) Phishing
   (b) Tabnabbing
   (c) Whaling
   (d) Spoofing
   (e) Zombies
   (f) Botnets

2. What are the basic features of the National Cybersecurity Policy 2013?
3. What are social networking sites and what security implications do these sites present?
4. What is CII and how is it important for cybersecurity of India?
5. What are the salient features of the NCIIPC?
6. What are the implications of the Snowden revelations on cybersecurity of India?
7. What is a cyberwar? How is it different from a traditional war?
8. What are social networking sites and what security implications do these sites present? (GS-III 2013)
9. Cyberwarfare is considered by some defense analysts to be a larger threat than even the Al-Qaeda or terrorism. What do you understand by cyberwarfare? Outline the cyberthreats which India is vulnerable to and bring out the state of the country's preparedness to deal with the same. (GS-III 2013)
10. Considering the threats cyberspace poses for the country, India needs 'Digital Armed Forces' to prevent crimes. Critically evaluate the National Cybersecurity Policy, 2013, outlining the challenges perceived in its effective implementation. (GS-III 2015)
11. Use of the Internet and social media by non-state actors for subversive activities is a major security concern. How have these been misused in the recent past? Suggest effective guidelines to curb the above threat. (GS-III 2016)
12. Data security has assumed significant importance in the digitised world due to rising cyber crimes. The Justice B. N. Srikrishna Committee Report addresses issues related to data security. What, in your view, are the strengths and weaknesses of the report relating to protection of personal data in cyberspace? (GS-III 2018)

Chapter 10

Security Challenges and Their Management in Border Areas

10.1 Challenges of Border Security

Borders are the visible symbols of a country's sovereignty, unity and integrity. They are seen as a symbol of national pride. There are **three distinct sets of borders at the international level**:

- Land borders
- Maritime boundaries
- Airspace

Border management in the present world order is a complex proposition. A transgressor is always on the lookout for soft gaps on the land, along the coast, or if need be, from the air. The **1995 Purulia incident** demonstrated our vulnerability from the air. It is, therefore, necessary to adopt a holistic approach to border management.

Managing borders is difficult for several reasons. Some of our maritime boundaries are still unsettled. Land borders are not fully demarcated. Sections of our borders are based on artificial boundaries and not natural features.

10.2 India's Land Boundaries with her Immediate Neighbours

India shares approximately 15,000 km of boundary with her immediate neighbours, namely Pakistan (3,323 km), China (3,488 km), Nepal (1,751 km), Bhutan (699 km), Myanmar (1,643 km) and Bangladesh (4,096 km). India's boundary with each of her neighbours runs through a variety of ecological milieus, each with its own unique setting and associated problems. For example, the India–Pakistan border areas are spread across extreme climatic conditions, given that the boundary runs from the hot Rann of Kutch to the Thar Desert in Rajasthan to the cold Himalayas in Jammu and Kashmir. Similarly, in the north, the India–China boundary runs along one of the loftiest mountain ranges covered with snow all through the year. The India–Myanmar boundary is draped with lush tropical forests with myriad undergrowths. The

Indo–Bangladesh boundary has to cope with the ever-shifting riverbeds in the region. These diverse ecological and climatic conditions create immense hurdles for extending the security and administrative reach in these border areas. Coupled with this, the man-made nature of these boundaries also throws up serious issues, such as border disputes, porous borders, continuance of trans-border ethnic and social ties, etc. Together, they pose a serious challenge to the effective management of the borders. Let's examine each of our borders with our neighbouring countries.

10.2.1 Indo–Pakistan Border

The India–Pakistan boundary is categorised under **three different heads**:

- **Radcliff Line:** This is **2,308 km** long and stretches from Gujarat to parts of Jammu district in Jammu and Kashmir.
- **Line of Control (LoC):** This line is **776 km** long and runs along the districts of Jammu (some parts), Rajouri, Poonch, Baramulla, Kupwara, Kargil and some portions of Leh.
- **Actual Ground Position Line (AGPL):** This is **110 km** long and extends from NJ 9842 to Indira Col in the North.

The LoC and the AGPL have seen constant tensions with border skirmishes and firing between the armies, and border security forces (BSFs) constantly guarding boundaries of both the countries. The LoC has been vulnerable to constant infiltration by foreign terrorists, Kashmiri separatists and Pakistani Army regulars for long.

Like the Bangladesh boundary, the **India–Pakistan boundary** also does not follow any geographical barrier. It runs through diverse terrain like deserts, marshes, plains and snow-clad mountains, and winds its way through villages, houses and agricultural lands, making it extremely porous. **Porosity of this border** has facilitated various illegal activities, such as smuggling, drugs and arms trafficking and infiltration. Heroin and fake Indian currency are the two predominant items of smuggling along this border. Other items include saffron, textiles and mercury, which are smuggled from Pakistan. The villagers adjacent to the border are alleged to be involved in smuggling in a big way. Money laundering is also quite rampant along the border. A large-scale hawala network is flourishing in Punjab, especially in Ludhiana. In addition, the border population has also been subjected to hostile propaganda by Pakistan, designed to mislead and sway their loyalties. The **Sir Creek area**, due to its peculiar terrain, makes the movement of the border guarding forces very difficult and thus, provides a scope for illegal fishing in the creeks.

A discordant political relationship, three-and-a-half wars and Pakistan's material support for secessionist militants in the border states of Punjab, erstwhile state of Jammu and Kashmir compelled India to harden its international border with Pakistan. An inward-looking economy and the absence of an imperative for regional economic integration also resulted in

restricted movement of people and goods across the border. However, in the past decade or so, an emergent Indian economy coupled with both countries' desire to engage themselves constructively paved the way for softening the border and the India–Pakistan border gradually opened up for increased trade and travel. Moreover, inadequate manpower, lack of resources and inadequate cooperation from Pakistan make the management of the border difficult. As a result, India has to continuously balance the imperatives of maintaining the border as a barrier against cross-border terrorism with softening it to enable the regulated flow of trade and travel.

10.2.2 Indo–China Border

The entire **Sino-Indian border** (including the western LAC; the small undisputed section in the centre and the McMahon Line in the East) is **4,056 km** long and **traverses five Indian states**: Jammu and Kashmir, Uttarakhand, Himachal Pradesh, Sikkim and Arunachal Pradesh. On the Chinese side, the line traverses the Tibet Autonomous Region. The demarcation existed as the informal ceasefire line between India and China after the 1962 conflict until 1993, when its existence was officially accepted as the **Line of Actual Control (LAC)** in a bilateral agreement.

China is in occupation of approximately 38,000 sq. kms of Indian territory in Jammu and Kashmir. In addition, under the so-called China–Pakistan **Boundary Agreement of 1963**, Pakistan ceded 5,180 sq. km of Indian territory in Pakistan occupied Kashmir to China. China claims approximately 90,000 sq. km of Indian territory in Arunachal Pradesh and about 2,000 sq. km in the Middle Sector of the India–China boundary. Beijing has stated that it does not recognise Arunachal Pradesh.

The border between China and India has never been officially delimited. China's position on the Eastern part of the border between the two countries is consistent. Not a single Chinese Government recognises the 'illegal' McMahon Line. For China, the **McMahon Line** stands as a symbol of imperialist aggression on the country. The so-called Arunachal Pradesh dispute is China's most intractable border issue. Because the gap between the positions of China and India is wide, it is difficult for both the nations to reach consensus. The area of this disputed region is three times that of Taiwan, six times that of Beijing and ten times that of the Malvinas Islands, disputed by Britain and Argentina. It is flat and rich in water and forest resources.

Arunachal Pradesh is the only issue which has a potential for conflict between India and China. If ever India and China go to war one day, it will be on this issue. India considers recurring Sino-Indian border clashes a potential threat to its security. Since the war, each side continued to improve its military and logistics capabilities in the disputed regions. China has continued its occupation of the Aksai Chin area, through which it built a strategic highway

linking Xizang and Xinjiang autonomous regions. China had a vital military interest in maintaining control over this region, whereas India's primary interest lay in Arunachal Pradesh, its state in the North-East bordering Xizang Autonomous Region.

10.2.2.1 India–China 2020 Standoff

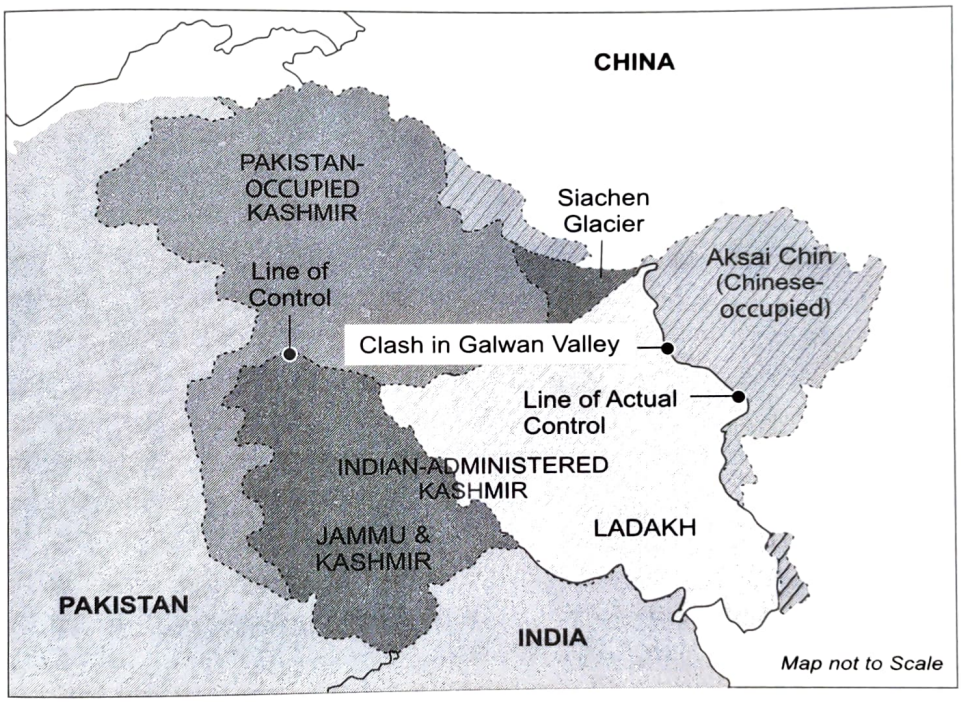
India and China share a border around **4,056 sq. km long and have many overlapping territorial claims**. India's stand is that China has occupied 38,000 sq. km of its territory. Several rounds of talks in the last three decades have failed to resolve the boundary disputes.

A strategic road, the Karakoram highway, passes through the disputed area of Pakistan occupied Kashmir. This highway connects China with Pakistan. China has invested about $60 bn in Pakistan's infrastructure – the so-called **China–Pakistan Economic Corridor (CPEC)** is key to transporting goods to and from the Southern Pakistani port of Gwadar. The port gives China a foothold in the Arabian Sea.

The standoff between India and China is not a new affair but has occurred at several times, including the Doklam Standoff at Chumbi Valley in 2017 at the trijunction of India, Bhutan and China.

Recently, Indian, and Chinese armies have been locked in a tense standoff at **three points along the LAC – the Galwan River Valley, Hot Springs area and the Pangong Lake since early May 2020**. But the recent standoff became a far more serious affair since twenty brave soldiers of India were killed in mid-June 2020 at Galwan Valley in Eastern Ladakh in a clash with the Chinese forces.

10.2.2.1.1 *Geography of the Region*



10.2.2.1.2 *Background*

The LAC is poorly demarcated. The presence of rivers, lakes and snow caps means the line can shift. The soldiers on either side – representing two of the world's largest armies – come face-to-face at many points.

Permanent rapid infrastructure is being built by China along the LAC without respecting the boundary agreement. They usually patrol on motor vehicles as they have made facilities available against the border agreement rules. On the other hand, the Indian side still patrols on foot.

India has built a new road in the most remote and vulnerable area along the Shyok River near to the LAC in Ladakh. The road could boost India's capability to move men and material rapidly in case of a conflict.

This was not taken in the right spirit by China, which deployed heavy military troops and built infrastructure including setting up of camps in Indian sovereign territory or the disputed territory. This brought the forces of both

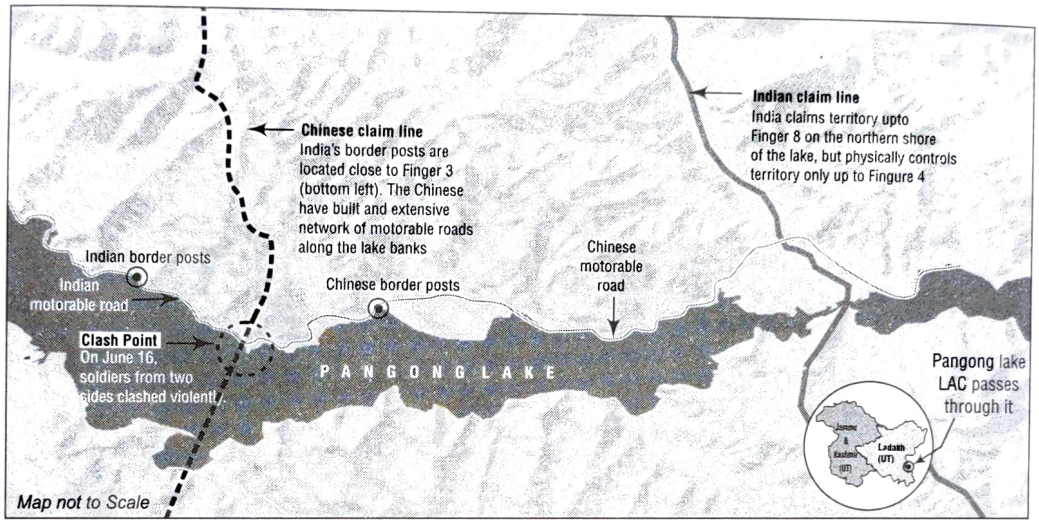
the countries in closer proximity and on the verge of clashes. The traditionally peaceful Galwan River became a hotspot.

10.2.2.1.3 *Strategic Importance of the Galwan River Valley*

The **Galwan River is the highest ridgeline,** and it allows the Chinese to dominate **the Shyok route pass,** which is close to the river. During the 1962 China–India War, China used these strategic lines very well, which contributed significantly towards its win over India.

It lies **along the western sector of the LAC and close to Aksai Chin,** a disputed area claimed by India but controlled by China.

10.2.2.1.4 *Pangong Tso Lake*


Chinese claim line
India's border posts are located close to Finger 3 (bottom left). The Chinese have built and extensive network of motorable roads along the lake banks
Indian claim line
India claims territory upto Finger 8 on the northern shore of the lake, but physically controls territory only up to Fingure 4
Indian border posts
Indian motorable road
Clash Point
On June 16, soldiers from two sides clashed violently
Chinese border posts
Chinese motorable road
PANGONG LAKE
Pangong lake LAC passes through it
Ladakh (UT)
Map not to Scale

The most serious issue is in the area of Pangong Tso and its Northern banks, where Chinese soldiers have moved up to the line they claim to be the LAC. Most of the clashes between the two armies occur in the disputed portion of the lake. As things stand, a 45-km-long western portion of the lake is under Indian control, while the rest is under China's control.

10.2.2.1.5 *Tactical Significance of the Lake*

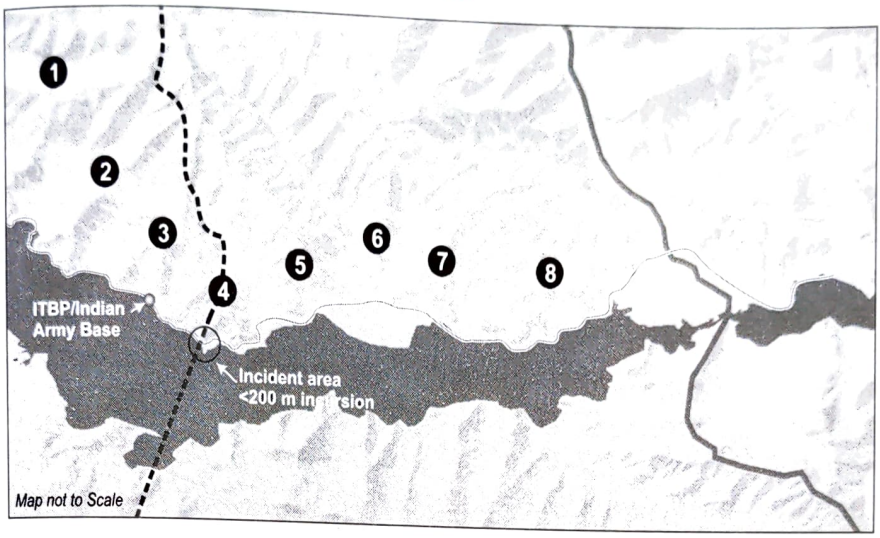
By itself, the lake does not have major tactical significance. But it lies in the path of the Chushul approach – one of the main approaches that China can use for an offensive entry into India-held territory.

Satellite images show that they have also undertaken some construction activities in the areas that are claimed by India but were no man's land on ground.

10.2.2.1.6 *Hot Spring*

Chinese soldiers have moved into three areas of PP14, PP15 and Gogra, backed by a large number of troops and heavy equipment on their side.

10.2.2.1.7 *Present Issue of Contention*



10.2.2.1.8 *Fingers in the Lake*

The barren mountains on the lake's northern bank, called the Chang Chenmo, protrude forward in major spurs, which the Army calls 'fingers'. India claims that the LAC is coterminous with **Finger 8**, but it physically controls area only up to **Finger 4**.

Chinese border posts are at **Finger 8**, while it claims that the LAC passes through **Finger 2**. Around six years ago, the Chinese had attempted a permanent construction at **Finger 4** which was demolished after Indians strongly objected to it. Again, this year Chinese built an infrastructure near **Finger 4** which used to be a noman's area. That led to the clash of **16 June 2020** wherein twenty Indian soldiers and many Chinese were also killed. After that many Lt. General level talks have taken place between India and China. One National Security Advisor (NSA) level talk also took place after which China withdrew its troops by about 1.5 km, which can be considered a partial victory of India's stand. China promised to return to its original status, i.e., **Finger 8** which was present before **20 May 2020**. But as of now they have gone back to **Finger 5**, so it's still at a deadlock.

10.2.2.1.9 *Present Status and Indian Strategy*

Most countries are **criticising China for its expansionist policies and aggression** that is being displayed by it. The International support that India has received has been a great sign. Even though any physical war would not be beneficial for any country, countries are preparing themselves for other types of war including Trade war, Cyber war, etc. India in this context banned 59 of Chinese popular applications in India over security concerns. Even the Government and people of India are boycotting Chinese goods.

At the LAC front, the Chinese are placed at a strategically better position than India and also, they are more war-ready than India at present. They have built roads till the LAC and are patrolling on vehicles while Indian troops still patrol on foot. So, the best strategy at the time of clash for India was to

buy time and prepare and deploy its troops. Time has shown that our strategy has paid off and China is slowly returning to the position which was present on the ground before May 2020.

Also, we have to increase our military deployment to match the Chinese and find solutions for the challenging terrain. Meanwhile, international diplomacy is required so that international pressure is increased on China to back off and stop its expansionist designs.

10.2.3 Indo–Bangladesh Border

India shares the longest border (4,096 km) with Bangladesh. Bangladesh borders the Indian States of West Bengal in the West and North, Assam and Meghalaya in the North-East, and Tripura and Mizoram in the East. The boundary was drawn by **'Bengal Boundary Commission'**. Instead of following the natural barriers, it meanders through villages, agricultural lands and rivers, rendering the border extremely porous with many disputed pockets. **Undemarcated** stretches, existence of enclaves (chhitmahals) and adverse possessions are a cause of constant friction between the border guarding forces of India and Bangladesh.

In 1974, three years after the liberation of Bangladesh, the then Prime Ministers of India and Bangladesh, **Indira Gandhi and Sheikh Mujibur Rahman**, inked an agreement to settle the land boundary issue. The **Indira–Mujib Agreement** laid down the methods for demarcating various disputed stretches of the India–Bangladesh boundary. Under the agreement, India retained the southern half of enclaves and Bangladesh retained the other half.

The Enclave bill pending in Parliament needs to be discussed in detail. At present, there are 111 Indian enclaves in Bangladesh and 51 Bangladeshi enclaves in India. Since India does not have access to these enclaves, it has not been possible to establish an administrative set-up to provide facilities like police stations, courts, schools, roads, hospitals, banks, markets, etc., for the residents. A major consequence of the porous border is the ease with which it is crossed illegally. The trend of illegal migration from Bangladesh into India has continued since Independence. Various 'push' factors, such as poverty, political upheavals, religious persecution, demographic pressures, and environmental crises, and 'pull' factors, such as availability of land, employment opportunities, medical care and education, have contributed to the large-scale influx of Bangladeshis into India. The porosity of the border also allows Indian insurgents to cross-over to Bangladesh and other neighbouring countries for asylum.

Porous border, lack of economic opportunities, poverty and underdevelopment, attitude of the people towards petty crimes, laxity in vigilance, alleged nexus between criminals and police and border guarding forces, all contribute to the escalating trans-border crimes.

Smuggling of cattle has become a serious concern. Truckloads of cattle from Haryana, Rajasthan, Uttar Pradesh, and Madhya Pradesh are shipped to the India–Bangladesh border every day, ostensibly for grazing purposes. From here, these cattle are smuggled into Bangladesh. The BSF regularly seizes cattle. Along with cattle, smuggling of arms and other essential items, such as sugar, salt and diesel, human and narcotics trafficking, counterfeit Indian currency, kidnapping and thefts are quite common along this border.

10.2.3.1 Enclaves Issue

At present, there are 111 Indian enclaves in Bangladesh and 51 Bangladeshi enclaves in India. Since India does not have access to these enclaves, it has not been possible to establish administrative set-up to provide facilities like police stations, courts, schools, roads, hospitals, banks, markets, etc. for the residents.

The Prime Ministers of India and Bangladesh signed a **Land Boundary Agreement in 1974** to exchange all enclaves and simplify the international border. In 1974, Bangladesh approved the proposed Land Boundary Agreement, but India did not ratify it. In 2011, the two countries again agreed to exchange enclaves and adverse possessions. A revised version of the agreement was finally adopted by the two countries when the Parliament of India passed the **119th Amendment** to the Indian Constitution on **7 May 2015**. Inside the main part of Bangladesh, there were 111 Indian enclaves (17,160.63 acres), while inside the main part of India, there were 51 Bangladeshi enclaves (7,110.02 acres). In respect of adverse possessions, India received 2,777.038 acres of land and transferred 2,267.682 acres to Bangladesh. Under the agreement, the enclave residents could continue to reside at their present location or move to the country of their choice.

10.2.4 Indo–Nepal Border

As close neighbours, India and Nepal share a unique relationship of friendship and cooperation characterised by open borders and deep-rooted people-to-people contacts of kinship and culture. There has been a long tradition of free movement of people across the borders. Nepal has an area of 1,47,181 sq. kms. and a population of 29 million. **It shares a border of over 1850 kms in the East, South and West with five Indian States** – Sikkim, West Bengal, Bihar, Uttar Pradesh and Uttarakhand – and in the North with the Tibet Autonomous Region of the People's Republic of China.

The India-Nepal Treaty of Peace and Friendship of 1950 forms the bedrock of the special relations that exist between India and Nepal. Under the provisions of this Treaty, the Nepalese citizens have enjoyed unparalleled advantages in India, availing facilities and opportunities at par with Indian citizens. Nearly six million Nepali citizens live and work in India. **Sashastra Seema Bal (SSB) is the border guarding force for the Indo–Nepal border.**

There are many points of dispute, mostly a result of the constantly shifting courses of the turbulent Himalayan rivers (especially Kalapani and Susta). The submergence, destruction and removal of border pillars and encroachment into the no man's land by people from either side add to the problem. Allegations of excesses, such as intimidation and forcible grabbing of land by either side along the disputed border, also surface from time to time. The disputed border has created unease not only between the two countries but also among their local populations. Unrestricted migration over the years has produced territorial pockets dominated by people originating from the other country.

An open border allows easy access to terrorists and insurgents. In the late 1980s, Sikh and Kashmiri extremists sneaked into India via Nepal. The ULFA, NDBF and KLO have misused the open border in the past. Earlier, reportedly, Maoists often escaped into India when pursued by Nepalese security agencies. Apart from insurgents and terrorists, many hard-core criminals pursued by Indian and Nepalese security forces escape across the open border. The ISI, LeT and other terrorist organisations are continuously using Nepal as a transit route and are also operating from the soil of Nepal, taking advantage of the open and porous border.

10.2.4.1 New Issue of Madhesis

A new Constitution was promulgated in Nepal on 20 September 2015. It has failed to satisfy the Madheshis and Tharus who constitute seventy per cent of the Terai population. This led to a violent Madheshi agitation in Nepal, especially in the Terai region due to which life in the region had been paralysed. Their main demand is – '**proportional political equity of a highly-populated Madhesh in Kathmandu**'. The negotiations over the last one month indicate that the Madhesi Morcha may now agree to the proposal to form a committee to submit its recommendations on demarcation issues.

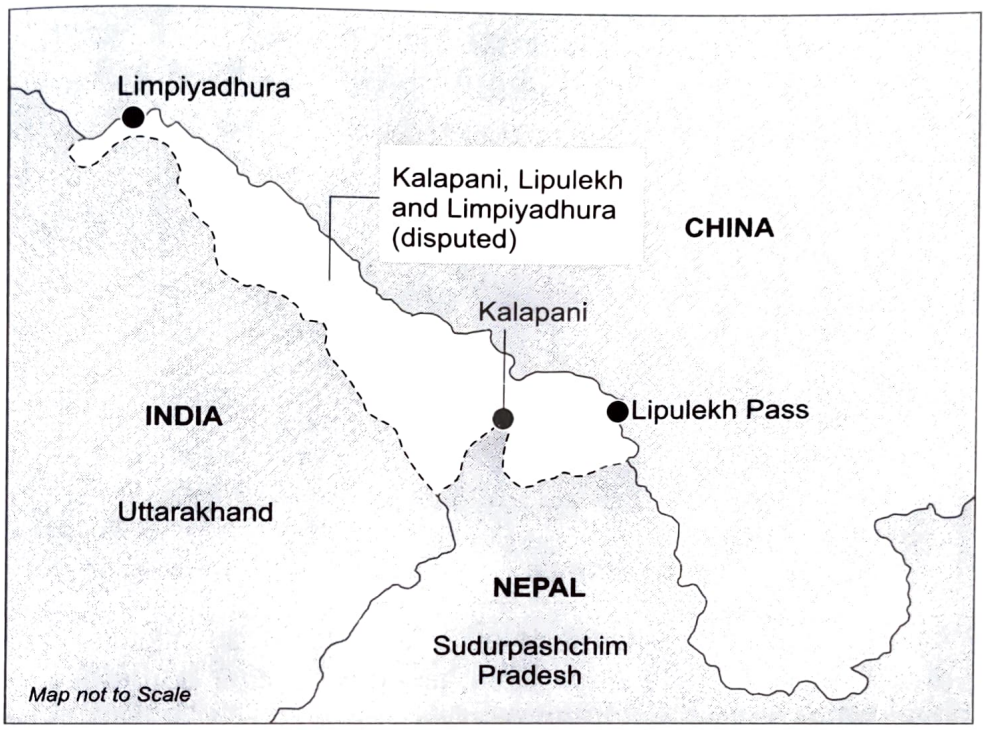
10.2.4.2 Issues on the Indo–Nepal Border

Nepal and India share an open border of about 1,880 km. The two countries have finalised maps covering ninety-eight per cent of the boundary, but the Lipulekh Pass, Kalapani and Limpiyadhura on Western Nepal border with Uttarakhand and Susta on the Eastern Nepal border with Bihar are among the areas that remain contested.

The controversy is over the trijunction at Lipulekh, the Northwest most corner of Nepal and North-East corner of the State of Uttarakhand in India. These three areas cover about 338 sq. km. The strategic Lipulekh Pass connects the Indian State of Uttarakhand with the Tibet region of China.

The **Kalapani territory** is an area claimed to be under the administration of both the countries, namely India and Nepal. This area falls under the administration of India as a part of the Pithoragarh district in Uttarakhand. In Nepal, since 1998 it is claimed to lie in Darchula district in Sudurpashchim Pradesh.

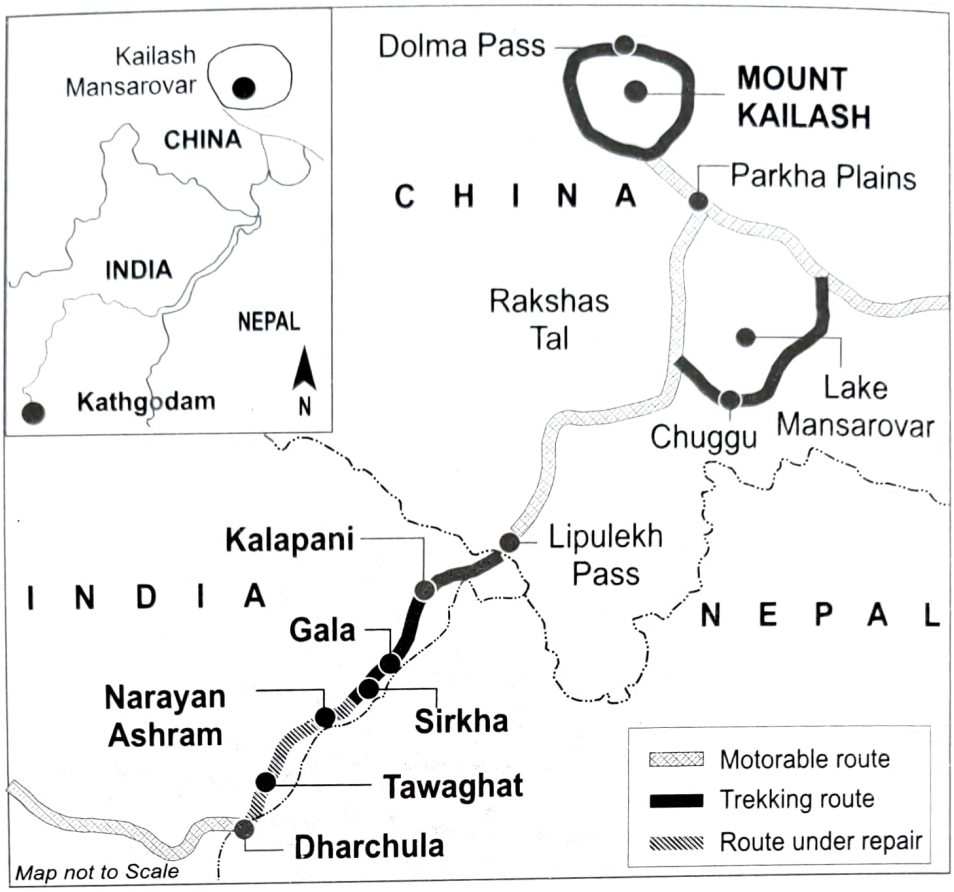
This territory, located at an altitude of 3600–5200 m, is actually the basin of the **Kalapani River** which is one of the head waters of the Kali River in the Himalayas. Along with the Lipulekh Pass at the top, the valley of Kalapani is of great significance for the Hindu pilgrims. It forms the Indian route to Kailash Mansarovar which is an ancient pilgrimage site. It also forms the traditional trading route for the Bhutiyas of Uttarakhand to Tibet.



Geographically, in this region the river Kali forms the boundary between India and Nepal. But according to Indian claims, the headwaters of the river are not included in the boundary. Dating to 1865 (British India), the border runs alongside the watershed.

Another pass in Nepal, the Tinkar Pass, lies close to this area. As a consequence of the **Sino-India War of 1962**, India had closed the Lipulekh Pass, forcing much of the Bhutiya trade to take place through this pass. However, in 1997, India and China agreed to reopen the Lipulekh Pass which led to Nepalese protests regarding the Kalapani territory.

- In reality, all the **three contested areas – Kalapani, Lipulekh and Limpiyadhura –** have been firmly under India's control at least since 1865, and the people living in those areas are now Indian citizens, pay taxes in India and vote in the Indian elections.
- This was a traditional route for **Kailash Mansarovar Yatra** The Lipulekh route had a trek of 90 km through high-altitude terrain and the elderly yatris faced a lot of difficulties. The conversion of the trekking route to a metalled road will be a boon to both pilgrims and traders and will also be of strategic importance to India as China has already built metalled roads up to Lipulekh on its side.



- A joint technical committee of Indian and Nepalese officials have been discussing the issue since 1998, along with other border issues. But the matter has not yet been resolved.
- The inauguration of a **road from Dharchula to Lipulekh (China border)** by India's Defence Minister over videoconferencing on **8 May 2020** triggered the recent controversy. Soon Nepal staked a claim over the trijunction area and issued a new map on 20 May 2020 showing all the three areas on the Nepalese map. The controversial bill showing the new map was also passed by their parliament on 13 June 2020.
- **Force Deployment by Nepal:** Nepal has deployed about ten new armed police posts on this border including a post opposite Kalapani. The timing and the manner in which it was deployed has raised concerns in New Delhi.

10.2.4.3 Historical Background and the Sugauli Treaty

- **Prithvi Narayan Shah** is credited for initiating the campaign for the unification of Nepal. Post the unification of Nepal, attempts were made to enlarge its domains by conquering much of Sikkim in the East and many areas in the West, which included the Uttarakhand regions of Garhwal and Kumaon. Hence, the Nepalese Kingdom stretched from the Sutlej River in the West to the Teesta River in the East.

- Consequently, this led to conflicts with the British East India Company. A series of such conflicts (termed as **Anglo-Nepalese War**) took place between 1814 and 1816. In 1815, British General Ochterlony ended the twenty-five-year rule of the region by Nepal by ousting the Nepalese from Garhwal and Kumaon across the Kali River.
- However, Nepal lost the Anglo-Nepalese War and surrendered a part of its Western and Eastern territory. The resulting **Treaty of Sugauli (1816)** limited Nepal to its present territories.
- The resulting agreement, the Sugauli Treaty, states in its **Article 5**: **'The king of Nepal renounces for himself, his heirs, and successors all claims to and connexion with the countries lying to the West of the River Kali, and engages never to have any concern with those countries or the inhabitants thereof'.**
- The Sugauli Treaty stated that Nepal ceded to British the whole of the lowlands between the Rivers Kali and Rapti.
- Around 1865, the border was shifted by the British to the watershed of the Kalapani River. It was only then that the British claimed the area which is now called the Kalapani territory. As per their claims, it was stated that the Kali River begins only from the Kalapani springs. Hence, the Treaty of Sugauli did not apply to the region above these springs.
- The Survey of India maps since the 1870s showed the area of Lipulekh down to Kalapani as part of British India.
- Nepal and India entered into a Treaty of Peace and Friendship in 1950, which had a strong element of mutual security alliance, mirroring the earlier treaties with British India. This treaty is a reflection of vibrant friendly relations between the two countries where citizens could move freely on both sides of the border.
- The **China-Nepal boundary agreement** signed on **5 October 1961** states: **'The Chinese-Nepalese boundary line starts from the point where the watershed between the Kali river and the Tinkar river meet the watershed between the tributaries of the Mapchu (Karnali) river on the one hand and the Tinkar river on the other hand'.**
- Thus, the trijunction of the India–China–Nepal borders was near the Tinkar Pass, which lay on the dividing line of the watersheds of the Kali and Tinkar rivers. The Border Pillar Number 1 of the China–Nepal border was placed here and still stands, thereby marking that Lipulekh was the Indian boundary.

After the 1962 border war with China, India closed the Lipulekh Pass which was opened again in 1997.

- Nepalese kings accepted the boundary and did not raise any objection with the Government of India before or after India's Independence till 1997.

- Nepal started claiming all the areas to the East of the Lipu Gad/ Kalapani River in 1997. It claimed that the Lipu Gad was the Kali River up to its source. They aimed to shift their western borders by 5.5 km westwards including the Lipulekh Pass. However, the Indian officials acknowledged that the administrative records as long as those of the 1830s showed that the Kalapani area was administered as part of the Pithoragarh district (then under the Almora district). They also denied the Nepalese claims regarding Lipu Gad being the source of Kali River. On the contrary, India claims that the Kali River begins only after Lipu Gad is joined by the other streams which arise from the Kalapani springs. Hence, the Indian border follows the high watershed of the streams that join the Kalapani River and leaves the midstream of river near Kalapani. By 2007, the Nepal-India Technical Level Joint Boundary Working Group agreed on 182 strip maps covering almost 98 per cent of the boundary, except the 2 **disputed areas of Kalapani and Susta.**

10.2.4.4 Susta issue

Another disputed territory between Nepal and India is Susta. **Currently, it is being under the control of India and is a part of the State of Bihar**. But Nepal claims it to belong to them. As per the **Treaty of Sugauli (1816)**, the international boundary between India and Nepal is defined by the Gandaki River. The area on the right bank of the river was supposed to be under the administration of Nepal while that in the left bank was to be controlled by India. Susta was initially on the right bank of the river Gandaki and hence, was a part of Nepal when the treaty was signed. However, over a period of years, the river changed its course and Susta now lies on the left side of the river. So as per the Treaty of Sugauli, it belongs to India now. Repeatedly, the Government of Nepal has been adamant that Susta belongs to Nepal and that the Indian Government should return it to them.

10.2.4.5 Why Nepal's Reaction Has Been Suddenly Unusually Aggressive Towards India?

- **China's Politics:** Basically, it's only at the behest of China that Nepal has objected to India's initiative of making the metalled road. China with its expansionist designs wants to create problems for India by backing India's neighbours, specially Pakistan and Nepal. China knows that India had close ties with Nepal; therefore, it is trying its best in deteriorating India–Nepal relations.
- **Political Opportunism:** The controversy has given **Nepal's Prime Minister K. P. Sharma Oli** an opportunity to divert attention about criticism of his own government's shortcomings.

10.2.5 Indo–Myanmar Border

The boundary was **demarcated in 1967 under an agreement** signed by both countries. However, numerous earlier treaties and acts had affected the alignment of portions of the boundary and formed much of the basis of the new agreement.

The location of the Indo–Myanmar border throws up many challenges for its effective management. Though the boundary is properly demarcated, there are a few disputed pockets. The rugged terrain makes movement and overall development of the area difficult. The internal dynamics of the region in terms of clan loyalties of the tribal people, inter-tribal clashes, insurgency and trans-border ethnic ties also adversely affect the security of the border areas. There is practically no physical barrier along the border either in the form of fences or border outposts (BOPs) and roads to ensure strict vigil. Close ethnic ties among the tribes, such as Nagas, Kukis, Chin, etc., who live astride the border, help insurgents in finding a safe haven in Myanmar.

The location of the boundary at the edge of the 'golden triangle' facilitates unrestricted illegal inflow of drugs into India. The smuggling of arms and ammunition, precious stones and Chinese-made consumer items finds its way into India illegally. Red Sanders, amphetamine-type stimulant (ATS), grocery items, bicycle parts, etc. are smuggled from India. Human trafficking is also rampant along the border. The provision of allowing the tribal communities of both countries to travel up to 16 km across the border without any passport or visa called **'Free Movement Regime'** has also contributed to increased smuggling in the region.

India is constructing to seal its 1,624 km (1,009 mile) long border with Burma. India hopes to curtail cross-border crime, including goods, arms and counterfeit Indian currency smuggling, drug trafficking, and insurgency. Indian Army's Assam Rifles (AR) has been deployed there for border guarding.

On **9 June 2015**, the Indian Army carried out a surgical strike at two locations on the Indo–Myanmar border, pre-empting a terror attack and inflicted heavy damage on the militants.

The Indian Army's counter-attack came five days after eighteen of its soldiers were massacred in Manipur's Chandel district by militants drawn from various groups, including NSCN-Khaplang and Kanglei Yawol Kanna Lup (KYKL).

10.2.6 Indo–Bhutan Border

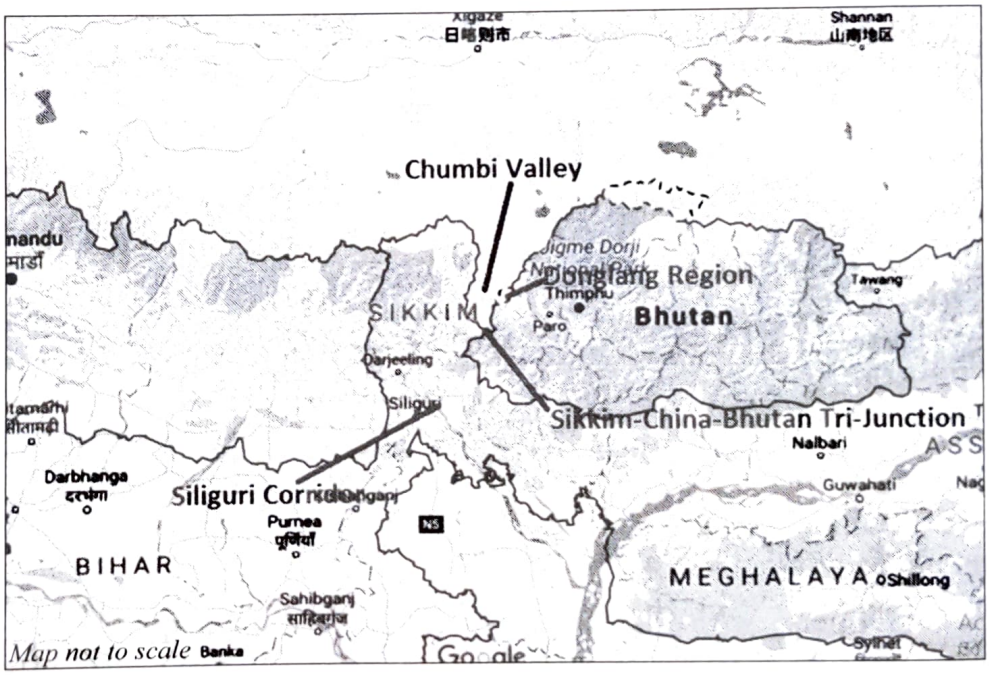
The Bhutan–India Border is the international boundary between the Kingdom of Bhutan and the Republic of India. The **border is 699 km long** and adjoins the Indian States of Assam (267 km), Arunachal Pradesh (217 km), West Bengal (183 km) and Sikkim (32 km).

The Treaty of Peace between Britain and Bhutan demarcated the border in 1865, following the Bhutan War. The boundary was further detailed and refined in the 1973–84 period through talks between Bhutan and India. Remaining disputes have been minor and concern part of the border with Arunachal Pradesh, and the region between Sarbhang and Gelyephug.

The border between Bhutan and India is the only land access into entering Bhutan, as the border with China is completely closed. The single entry point for foreign nationals is between the towns of Jaigaon in the West Bengal and Phuntsholing in South-West Bhutan.

The Indian Government deploys **twelve battalions of SSB, and 132 border posts**, to guard the border on its side. The bilateral Indian-Bhutan Group Border Management and Security has been established to collaboratively assess and secure the border between the two countries.

The boundary is demarcated except along the trijunction with China, where the boundary is open. Recently, India helped in maintaining the territorial integrity of Bhutan from advancing Chinese troops during the Doklam standoff.



The border was peaceful till Indian insurgent groups such as KLO, ULFA and NDBF established camps in the southern districts of Bhutan; though these were flushed out later. Taking advantage of the open border, these insurgents would sneak into Bhutan after carrying out extortions, killings and bomb blasts. Smuggling and trafficking are also rampant along the border. Chinese-made goods, Bhutanese cannabis, liquor and forest products are major items smuggled into India. Livestock, grocery items and fruits are smuggled to Bhutan.

10.3 Coastal Security and Island Territories

Water channels, most of which are interconnected and run deep inside the land, render the coastline porous and hence, vulnerable to cross-border infiltration, smuggling and arms and drugs trafficking. Existence of mangrove forests, sandbars and uninhabited islands along the coast provide ideal hideaways for infiltrators and criminals. In recent years, the use of sea by terrorists to carry out attacks, as was seen during the **1993 Mumbai serial blasts** and the **November 2008 attack in Mumbai**, have also added a new dimension to the vulnerability of the coastline.

The matter is made worse by the existence of several high-value targets such as oil refineries, atomic power plants, space stations, ports and naval bases along the coastline. There is a growing worry about non-conventional threats as well as terrorist attacks, sabotage, etc. on such targets which could potentially inflict massive damage.

Straying of both Indian and Pakistani fishermen into each other's territorial waters and their subsequent arrests has also been a perennial source of concern. It is feared that at least some of the arrested fishermen could be recruited by Pakistan's Inter-Services Intelligence (ISI) and used as agents against India and their boats could be used to sneak in arms, explosives and operatives into India.

Since these boats have Indian make and registration number, they could easily evade attempts by the Indian security agencies to track them. This is what seems to have happened when the Coast Guard let off the **'Kuber'**, the vessel in which the terrorists travelled in **November 2008**.

Strategic location of the island territories, i.e., their proximity to the important **Sea Lanes of Communication (SLOC)** and South-East Asian and African countries, coupled with considerable distance from the mainland add to their vulnerability. In recent years, the intelligence reports have suggested that many uninhabited islands are being misused by terrorist groups and criminal gangs as transit points for smuggling arms and narcotics. Internal disturbances in India's neighbouring littoral countries also make the security scenario of the island territories extremely grim. The Andaman and Nicobar Islands have seen large-scale influx of illegal migrants from Bangladesh, Sri Lanka (Tamils), Myanmar, Thailand and Indonesia. Besides, the Indian Ocean has been a theatre of intense rivalries between great powers, mostly extra-regional powers.

10.4 Challenges to Managing Our Borders

The challenges include the following:

- Confronting the challenges to the unity and integrity of India
- Upholding sovereignty
- Defending territorial jurisdiction

- Preventing infiltration and illegal movement across the border
- Inculcating a sense of safety and freedom among people living in border areas
- Checking trafficking of all kinds (arms, humans, drugs)
- Controlling the trafficking in Fake Indian Currency Notes (FICNs)
- Preventing smuggling of goods like cattle, gold etc.

10.5 Techniques of Effective Border Management

The following techniques would help in managing and securing the borders:

- Building of fences and erecting floodlights
- Creating effective BOPs
- Step up of infrastructure development, like roads
- Effective patrolling and building of observation post towers
- Building of naka/machan
- Equipping the security forces with night-vision technologies
- Installation of CCTV and thermal imaging equipment

10.5.1 Comprehensive Integrated Border Management System (CIBMS)

Following the Pathankot terrorist attack, the MHA sanctioned the implementation of the **CIBMS to establish an integrated border security system** providing all-round security even in adverse climatic conditions. The CIBMS is touted as a more robust and integrated system that is capable of addressing the gaps in the present system of border security by seamlessly integrating human resources, weapons and high-tech surveillance equipment.

It has three main components:

(a) **New high-tech surveillance** devices such as sensors, detectors, cameras, ground-based radar systems, micro-aerostats, lasers as well as existing equipment for round-the-clock surveillance of the international border;

(b) An **efficient and dedicated communication network** including fibre optic cables and satellite communication for transmitting data gathered by these diverse high-tech surveillance and detection devices and

(c) A **command and control centre** to which the data will be transmitted in order to apprise the senior commanders about the happenings on the ground and thus, providing a composite picture of the international border.

A composite picture would help senior commanders analyse and classify the threat and mobilise resources accordingly to assist the field commander in his response. **The purpose of the CIBMS is to eventually replace**

manual surveillance/patrolling of the international borders by electronic surveillance and organising the BSF personnel into quick reaction teams to enhance their detection and interception capabilities. Other factors such as power backup, training of the BSF personnel in handling the sophisticated equipment and maintenance of the equipment are incorporated into the CIBMS project.

The use of high-tech equipment as an integrated instrument for border security has been experimented in various countries. Many, including the United States, have tried high-tech solutions for securing their borders, but with mixed results.

10.6 Kargil Review Committee Report and Its Observations on Border Management

The concept of border management assumed greater importance in the government lexicon only in the wake of the Kargil conflict of 1999, and the subsequent report submitted by the Kargil Review Committee. Based on the recommendations of the Review Committee, the Government of India, in April 2001, set up a 'task force' on border management under the chairmanship of Madhav Godbole. This task force was a part of a Group of Ministers (GoM) constituted to review the national security system as a whole and the recommendations of the Kargil Review Committee in particular. The task force's objective was to 'consider measures for border management and, in particular, to consider the recommendations of the Kargil Review Committee in this regard and formulate specific proposals for the GoM's consideration'.

The report observed that the country's borders cannot be effectively managed because of certain inherent problems, such as their disputed nature, artificiality, and porosity, which according to it give rise to multiple problems like illegal migration, smuggling, drugs trafficking and trans-border movement of insurgents. In addition, the multiplicity of forces employed to guard the same border, their repeated withdrawal from the borders for other duties, the lack of adequate infrastructure along the border, etc. prevent them from efficiently guarding the border. To address these vital issues, the GoM recommended the following:

- Concerted efforts are to be made to settle the border disputes and demarcate the borders at the earliest opportunity
- 'Department of Border Management' to be created
- One border guarding force should be deployed on one border and it should not be distracted from its principal task and deployed for other internal security duties
- Establishment of a marine police force, strengthening of Coast Guard and setting up of an apex institution for coordinating various maritime issues

- Accelerated **development of infrastructure** along the border, especially to wean away the border population from illegal activities

India's neighbourhood is in turmoil. Several of India's neighbours are undergoing political and economic instability. India also has continuing border disputes with several of her neighbours. Uncertain borders not only raise bilateral tensions but also facilitate cross-border infiltration, illegal migration, smuggling and crime. Of these, illegal migration has emerged as one of the major national security challenges.

The GoM undertook a thorough review of border management issues and made several recommendations in 2001. Many of these recommendations are being implemented. One of the major recommendations was the setting up of a separate **Department of Border Management within the Ministry of Home Affairs** which has been carried out. Yet, other major recommendations like the early settlement of our maritime borders and the demarcation of land boundaries has not yet been fully implemented. The GoM had strongly recommended the principle of 'one border one force' for better accountability. It emphasised the imperative of not deploying the border guarding forces for law and order duties and counter-insurgencies. It made some recommendations specific to better management of India–Pakistan, India–Nepal and other borders. It lamented the neglect of maritime borders and island territories and made recommendations to strengthen the coast guard and police. As a result of these recommendations, border management has received more attention, but the Mumbai terrorist attacks have once again shown that a lot more needs to be done to improve border management.

In the last two years, India has built several thousand kilometres of fences on India–Bangladesh and India–Pakistan borders. Border guarding forces have been augmented. Several thousand crores of rupees have been spent on their modernisation and expansion. The Centre has announced a policy of setting up **thirteen modern integrated check posts (ICPs) to improve border management**. Technology will play a major role in improving border management. We may have to learn how other large countries manage their borders.

10.6.1 Approach to Border Management

The approach as employed by the Centre towards managing the borders has **four important elements:**

- guarding,
- regulation,
- development of border areas and
- constituting bilateral institutional mechanisms for resolving disputes and ironing out conflicts with neighbours.

We shall examine each one of the above elements.

10.6.2 Guarding

The BSF has been assigned responsibility for the India–Pakistan and India–Bangladesh borders: AR for the India–Myanmar border, the Indo–Tibetan Border Police (ITBP) for the India–China border and the SSB for the India–Nepal and India–Bhutan borders.

For managing the borders effectively, it is important to have better surveillance. Surveillance is carried out by conducting regular patrols by the personnel guarding our borders. To house these personnel and to send regular patrols and to interact with the nearby villages, BOPs have been set up all along the borders. The inter-BOP distances along various borders are far greater than the recommended 2.5 km.

For securing the riverine and creek areas along the India–Bangladesh and India–Pakistan borders, the water wing of the BSF is deployed.

In addition, several electronic surveillance equipment like night-vision devices, hand-held thermal imagers, battle-field surveillance radars, direction finders, unattended ground sensors, high-powered telescope, etc., are used by the border guarding forces as force multipliers for greater surveillance.

10.6.3 Regulation

Efficient regulation of movement of people and goods is the hallmark of an effective border management strategy. For this, the government has to facilitate legitimate trade and travel while simultaneously checking illegal migration, infiltration of insurgents and terrorists and prevent smuggling. Building barriers is an effective means and for this fencing is employed but it is not an easy task. **Some problem areas include:**

- Acquisition of land
- Inordinate delay due to non-cooperation by local bodies
- In many instances, vested interests and the State Governments try to halt the process due to vote bank politics by illegal migrants

Another method of regulation is issuance of multi-purpose national identity cards and construction of **ICPs** to facilitate legal trade and movement.

10.6.4 Development of Border Areas

Border areas remain inaccessible and underdeveloped due to difficult terrain and lack of facilities such as proper roads, educational institutions, and hospitals. Lack of economic opportunities makes the border population more susceptible to take up smuggling and trafficking. Keeping in mind these problems, the Centre initiated the **'border area development programme' (BADP) in 1987** to provide adequate social and economic infrastructure, promote participation in development, eliminate sense of alienation and instil a sense of security among the border people. **BADP schemes**

comprise development of community-based infrastructure such as forestry, pasture land, fishery ponds, floriculture parks, community centres, mobile dispensaries, mini-marketing yards, etc. Over the years, the nature of the programme has changed from a schematic one with emphasis on education to a state-level programme with emphasis on balanced development of border areas. **Grass-root level institutions** such as Panchayati Raj institutions, district councils/traditional councils are encouraged to participate in deciding the priority schemes for their areas.

North-East India, which shares ninety-eight per cent of its borders with Bhutan, China, Myanmar and Bangladesh, has been plagued by insurgency and under-development. Its **strategic location as a gateway to South-East Asia** has propelled the government to undertake various developmental programmes in recent years. To study the situation of the North-East and suggest suitable projects for its development, the Centre constituted the **L. C. Jain Committee** and the high-level commission under the chairmanship of **S. P. Shukla in the 1990s**. The Commission in its report titled **'Transforming the North-East'** noted the inadequate infrastructure in the region and strongly advocated the need to develop them, especially the road networks. Consequently, a series of schemes was initiated to develop the road network in the region. Among these, the **three most important schemes are National Highway Development Programme Phase II, National Highway Development Programme Phase III B and Special Accelerated Road Development Programme for the North-East Region (SARDP-NE), 2007–2008**.

10.6.5 Constituting Bilateral Institutional Mechanisms

To facilitate bilateral dialogue on matters of mutual concern regarding border management, the Government of India has constituted a system of institutionalised interaction through the meetings of Home Secretaries, area commanders of the border guarding forces and the joint working group on border management. For instance, to discuss the issues of insurgency and smuggling along the Indo–Myanmar border, foreign office consultations (FOC) at the level of Foreign Secretary on the Indian side and Deputy Foreign Minister on Myanmar's side take place regularly.

National level meetings (NLMs) and sectoral level meetings (SLMs) also take place under the Home Secretary and the Joint Secretary of the Ministry of Home Affairs, respectively. **The primary objective of these meetings** is 'to maintain peace and tranquillity all along the border' and to attain this objective, the two sides have agreed to 'prevent inadvertent violations of each other's territories by their security forces' and also to 'monitor and curb effectively all illegal and negative activities such as trans-border movement of insurgents, narco-traffickers and others involved in nefarious activities'. **Border liaison meetings (BLMs)** take place between the local Area Army Commanders at designated places every six months.

The Surveyor Generals of India and Myanmar also meet to discuss the work plan for joint inspection, repairs, restoration, and maintenance of boundary pillars on the border. India has also constituted similar institutional mechanisms with Bangladesh, Pakistan, Nepal and Bhutan. On the Indo–Bangladesh border, several bilateral mechanisms with Border Guards of Bangladesh (BGB) exist, such as Company Commander level meeting, Commandant level meeting, Sector Commander level meeting, Inspector General BSF–Deputy Director General BGB level meeting, Nodal officer level meetings and Director General BSF–Director General BGB level Border Coordination Conference. A similar layered bilateral mechanism with Pakistan Rangers also exists.

These bilateral mechanisms have been helpful in sensitising each other about their respective security concerns and formulating strategies for better management of the border.

10.7 Securing the Coasts and Island Territories

10.7.1 Coastal Security in Brief

For securing the coasts, the Centre has implemented a **three-layered mechanism**. At the **outermost layer**, the Indian Navy patrols the high seas and carries out aerial reconnaissance with ship-based aircraft. The **intermediate layer** comprising the Exclusive Economic Zone (EEZ, between 12 and 200 nautical miles) is patrolled by the Coast Guard. The **areas around the land–sea interface** are patrolled by the Coastal Police. On the recommendation of the Task Force, the Centre launched the coastal security scheme (CSS) in 2005–06. The scheme envisaged the establishment of seventy-three coastal police stations equipped with 204 boats, 153 jeeps and 312 motorcycles for mobility on coast and in close coastal waters over a period of five years.

Coastal police stations do not have adequate trained manpower nor sophisticated arms or patrol boats. The personnel deployed in these police stations are reluctant to undertake sea patrolling. They complain of sea sickness, lack of proper training and absence of high-speed patrol boats.

Following the Mumbai terror attacks, the **Centre has also announced a series of measures for strengthening the coastal security of the country**. These include the following:

- Expediting the implementation of CSS
- Speedy delivery of 204 interceptor boats
- Easing of environmental norms for setting up coastal police stations
- Issuance of multi-purpose identity cards to all fishermen, sea ferrying personnel and coastal villages

- Implementation of uniform licensing of fishing boats across the country
- Installation of special transponders and global positioning system on registered boats for identification and tracking
- Deployment of commando units of Central Industrial Security Force (CISF) in all ports
- Constitution of a unified command for coastal districts to counter terrorist threats from the sea

For the security of the Island Territories, the Centre set up a joint command in the Andaman and Nicobar Islands, called the **Andaman and Nicobar Command (ANC)**, comprising personnel of the Army, the Navy, the Air Force and the Coast Guard. Among other responsibilities, the ANC is also mandated to look after the defence of Andaman and Nicobar Islands.

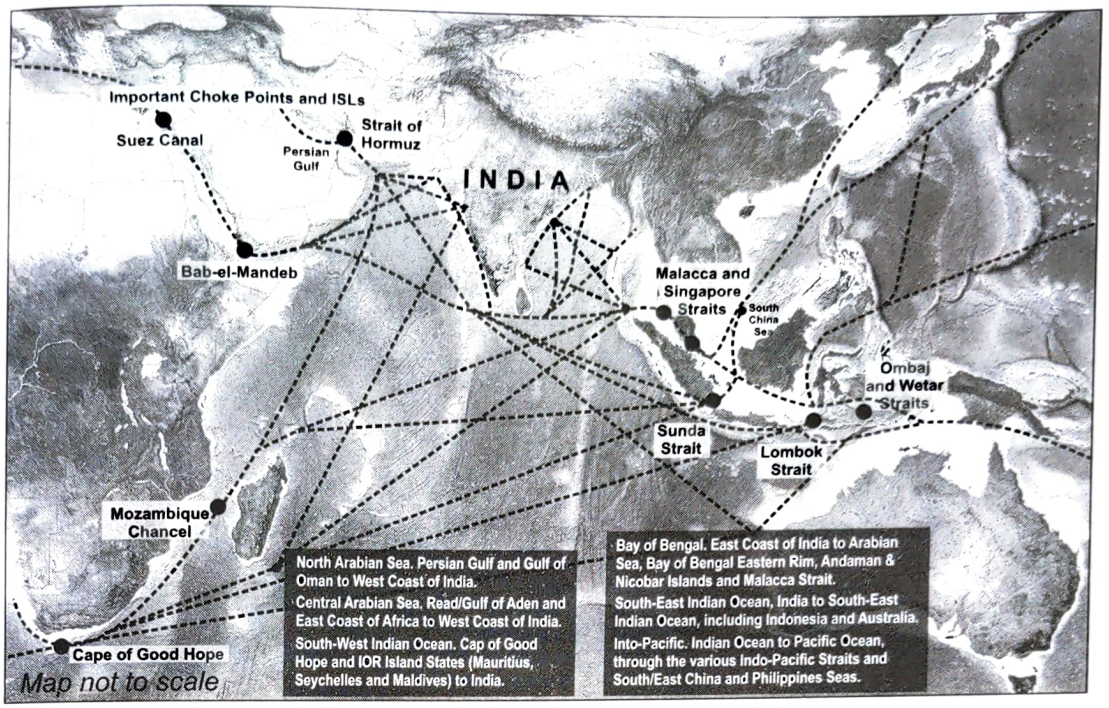
10.7.2 India's Maritime Security: Challenges and Management

India has a vast coastline extending more than 7,500 km with nearly 1,200 islands and a large EEZ of about 2 million sq. km.

The anticipated addition of 1.2 million sq. km of continental shelf would make India's total seabed area equal to that of its land mass.

The Indian Ocean, through which much of the world's ships transit, is distinguished by a land rim on three sides. Maritime access to the region is possible only through certain choke points leading to and from the Arabian Sea and the Bay of Bengal and from the Southern Indian Ocean. India flanks the first two regions and has a central position overseeing the third. Its peninsular feature provides a natural reach across wide sea spaces in all directions, extended by the islands of the Andaman and Nicobar and Lakshadweep Island group.

India's central position in the **Indian Ocean Region (IOR)**, dominating the main **international shipping lanes (ISLs)**, gives it a distinct advantage and places the outer fringes of the IOR and most **'choke points'** almost equidistant from India, thereby facilitating reach, sustenance and mobility of its maritime forces across the region. India is, therefore, well positioned to influence the maritime space, and promote and safeguard its national interest across its maritime domain. The vastness of the maritime domain demands a significant amount of resources and investment to ensure its security against challenges emanating from the traditional and non-traditional threats.


Important Choke Points and ISLs
Suez Canal
Strait of Hormuz
Persian Gulf
INDIA
Bab-el-Mandeb
Malacca and Singapore Straits
South China Sea
Ombaj and Wetar Straits
Sunda Strait
Lombok Strait
Mozambique Chancel
Cape of Good Hope
Map not to scale
North Arabian Sea. Persian Gulf and Gulf of Oman to West Coast of India.
Central Arabian Sea. Read/Gulf of Aden and East Coast of Africa to West Coast of India.
South-West Indian Ocean. Cap of Good Hope and IOR Island States (Mauritius, Seychelles and Maldives) to India.
Bay of Bengal. East Coast of India to Arabian Sea, Bay of Bengal Eastern Rim, Andaman & Nicobar Islands and Malacca Strait.
South-East Indian Ocean, India to South-East Indian Ocean, including Indonesia and Australia.
Into-Pacific. Indian Ocean to Pacific Ocean, through the various Indo-Pacific Straits and South/East China and Philippines Seas.

Challenges: The greatness of India's maritime domain with its **distinctive geography and shift of global maritime focus** from Atlantic-Pacific combine to Indo–Pacific continuum has thrown numerous challenges to its security. These challenges cover the entire range of threats from traditional and non-traditional sources.

Traditional Threats: The traditional threats emanate from the nation states; it may involve issues like maritime border disputes, claims of maritime resources, strategic interests, etc. Presently, we face these threats from Pakistan, China and Sri Lanka.

Non-traditional Threats: These are the threats from the non-state actors which impact the economy, society and politics of the concerned states. These include piracy, terrorism, trafficking, environmental issues, natural disasters etc.

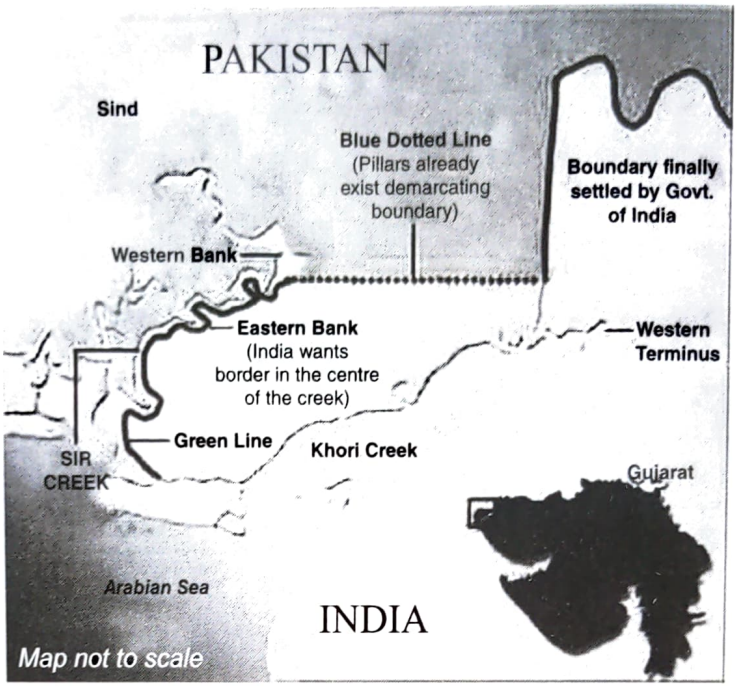
10.7.3 Traditional Threats

10.7.3.1 India–Pakistan

The main concern between India and Pakistan is the **dispute of Sir Creek**. It is a 96 km stretch of an estuary in the marshes of the Rann of Kutch, opening into the Arabian Sea, which separates India's Gujarat and Pakistan's Sindh.

The long-standing disputes hinge on the actual demarcation:

1. From the mouth of Sir Creek to the top of Sir Creek
2. From the top of Sir Creek Eastward to a point on the line designated on the western terminus.
3. Demarcation of maritime boundary between India and Pakistan in the Arabian Sea



Sir Creek Area on the Indo–Pak Border

The disputed region of **Sir Creek has very little strategic or military significance,** but the region is rich in fishing resources, considered to be one of the largest fishing ground in Asia. The region is expected to be **rich in hydrocarbon and shale gas with immense economic potential**. If boundary gets defined, it would help in determining the maritime boundaries which will further decide the limits of EEZ and the continental shelf.

In 1965, a dispute in this region contributed to the full-fledged war between India and Pakistan. Later the **'Indo–Pak Western boundary case tribunal'** was set up to resolve the dispute. The tribunal upheld ninety per cent of India's claim to the entire Rann leaving the boundary to the South unresolved. **Since 1969, there have been eight rounds of 'composite dialogue group' held without any breakthrough.** Since neither side has conceded any ground, India has proposed for the demarcation of maritime border first as per the provisions of **'Technical Aspects of the Law of the Sea' (TALOS)**. However, Pakistan first wants the dispute to be resolved, taking it for international arbitration, which India has flatly denied citing it a purely bilateral issue.

With both the countries unable to agree on the exact boundary, the differences flow into the Arabian Sea creating a vast stretch of disputed waters, where fishermen's misery, terrorists' design and global drug syndicates' interests converge. There are indications that this area could be the world's most active bed for drug trading.

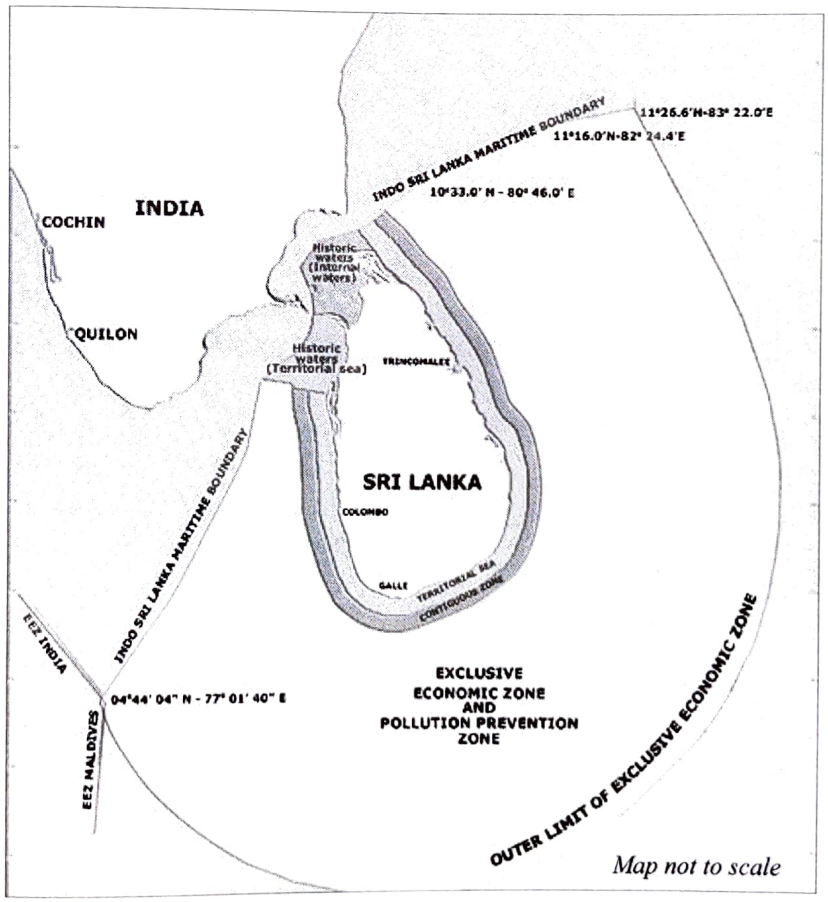
10.7.3.2 India–Sri Lanka

India and Sri Lanka have settled maritime boundary demarcation. However, there are few issues still left having direct bearing on the livelihood of the

people residing there. Geographically, India and Sri Lanka are very close to IMB, e.g. the Palk Strait is just twenty-two nautical miles (nm) of water that separates the Indian Coast from the Sri Lankan Coast. This proximity results in the encroachment into each other's territory by fishermen unknowingly resulting into arrests/detention, attacks, etc.

In 1974, India agreed to Sri Lanka's sovereignty over a small barren island in the Palk Bay area, named **'Katchatheevu'** with some safeguards to Indian fishermen. However, the Sri Lankan Government argues against the fishing rights of Indian fishermen in these waters where they have been fishing traditionally. The grant of 'Katchatheevu' has endangered the Indian fishermen's right over the rich fishing waters. Whenever Indian folks stray into the Sri Lankan waters around the island, it leads to skirmishes and incidents.

The period after the defeat of the LTTE has seen increased incidences of Indian fishermen coming into conflict with their counterparts in Sri Lanka and also with the Sri Lankan Navy. There have been allegations of use of excessive force and even firearms to prevent fishermen from poaching.



India–Sri Lanka Maritime Border

10.7.3.3 India–China

In the context of security challenges from China to India, the maritime dimension is a relatively new factor. The rapid growth of both economies led to increased demand of energy and raw materials, which are transported

by the sea. Both the economies are focusing on the sea lanes for the uninterrupted transportation of their trades and energy supply. Thus, the Indian Navy has newfound commitments in the South China Sea, whereas PLA Navy made forays into the Indian Ocean. If we follow the trade routes of China, forty per cent of her oil imports transit the **Strait of Hormuz,** whereas eighty-two per cent of her oil imports pass through the **Malaccan Strait**. Both these strategic shipping lanes are well within the reach and dominance of the Indian and US Navies. This reality is forcing China to make her presence visible in the Indian Ocean through her **'string of pearls policy'** wherein she seems to encircle and constrict India.

10.7.3.4 String of Pearls

It is a geopolitical theory on potential Chinese intentions in the IOR. It refers to the network of Chinese military and commercial facilities and relationships along its sea lines of communication, which extend from the Chinese mainland to Port Sudan. The sea lines **run through several major maritime choke points** such as the Strait of Mandeb, the Strait of Malacca, the Strait of Hormuz and the Lombok Strait as well as other strategic maritime centres in Pakistan, **Sri Lanka**, Bangladesh, the Maldives and Somalia. The term as a geopolitical concept was first used in an internal US Department of Defence report, **'Energy Futures in Asia'**. The term has never been used by official Chinese Government sources, but it is often used in the Indian media.

The **emergence of the String of Pearls is indicative of China's growing geopolitical influence** through concerted efforts to increase access to ports and airfields, expand and modernise military forces, and foster stronger diplomatic relationships with trading partners. The Chinese Government insists that China's burgeoning naval strategy is entirely peaceful in nature and is only for the protection of regional trade interests. An analysis by *The Economist* also found the Chinese moves to be commercial in nature. Although it has been claimed that China's actions are creating a security dilemma between China and India in the Indian Ocean, that has been questioned by some analysts, who point to China's fundamental strategic vulnerabilities.

10.7.4 Non-Traditional Threats

Maritime terrorism: Terrorism, in general, has changed the security scenario and has left no frontiers untouched, be it land, space or sea. In the Indian perspective, terrorism, in particular, has had a major impact on maritime security preparedness. The 1993 Mumbai serial blasts and 26/11 attack are glaring examples of how **vulnerable sea routes** can be used to infiltrate man and material to target the land. The targets may be soft civilian assets like commercial hubs, population centres, transits, industrial centres, ports, ships as well as conventional military targets of strategic importance and offshore oil facilities or nuclear power plants.

10.7.4.1 Threats From Sea to Land

In 1993, the explosives used for Mumbai serial blasts reached the Western shores of India in boats via sea routes. The 26/11 attack was carried out by a group of terrorists who infiltrated through India's porous maritime border.

10.7.4.2 Threats From Land to Sea

In the early 2000s, the Al-Qaeda bombed the US naval ship USS Cole, killing seventeen on board. In 2003, three Iraqi oil terminals were attacked in the Persian Gulf by explosive-laden speed boats. In 2014, the Al-Qaeda militants tried to seize a Pakistani naval frigate to target the US Navy vessels on the North-Western Indian Ocean.

10.7.4.3 Smuggling

The high seas are outside the jurisdiction of any single state or agency, hence, there is always a reduced scope for monitoring these areas. The non-state actors involved in the unregulated activities of trafficking/smuggling exploit this opportunity. **With the Golden Crescent on its left and Golden Triangle on its right, India is under constant pressure of unregulated movements at sea for trafficking of narcotics and arms.** The traffickers/ smugglers follow the modus operandi of trans-shipment of consignments on the high seas into local crafts, which then mingle with fishing activities offshore and can land at any of the myriad landing points ashore. The threat of nuclear material being smuggled in/from our neighbouring states is also an alarming dimension to this problem.

10.7.4.4 Piracy

Piracy is the **oldest form of maritime security threat**. It targets trade, putting the economy of the concerned state and lives of the people on board at risk, restricting the freedom of using sea routes for economic growth.

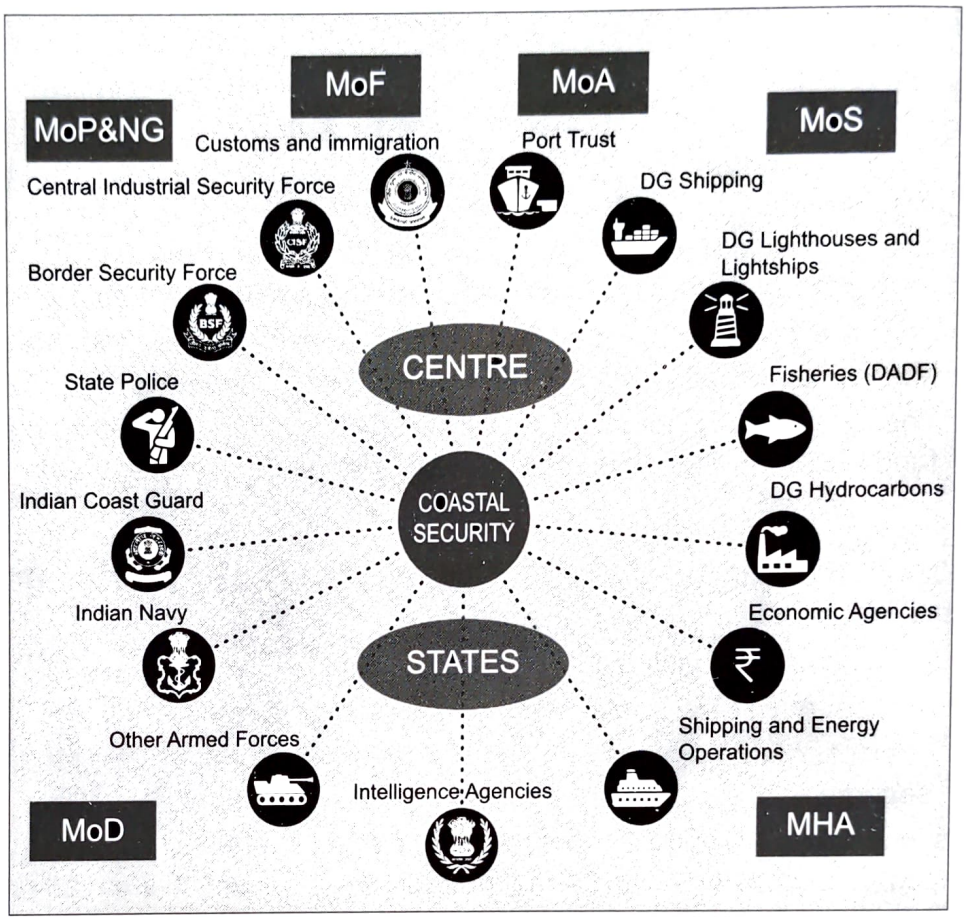
Historically, the waters of Gibraltar, Straits of Malacca, Gulf of Aden, Madagascar and the English Channel are the most vulnerable routes for pirate raids. The narrow channels with funnel shipping into predictable routes create opportunities for pirates. In the last two decades, the IOR has witnessed increased economic activities owing to an increased demand of energy from China and India and their increased trade. This has lured the pirates into this region.

In recent years, Gulf of Aden and Somali-based piracy has spread across the Arabian Sea within 500 nm of India's mainland. Strong action from our Navy and Coast Guard pushed them away. Since 2008, Gulf of Aden is being patrolled by our naval ship and helped in escorting more than 3,000 merchant ships and nearly 25,000 Indian and foreign seafarers.

10.7.4.5 Illegal, Unreported and Unregulated (IUU) Fishing

IUU is a manifestation of human greed with an assumption that marine resources are an unlimited gift of nature. But, it has been realised that

- **Sagar Suraksha Dal**, an informal group of fishermen and trained volunteers of coastal areas are used for **surveillance and intelligence gathering**.
- **Issue of ID cards** to all fishermen and over two lakh registrations of fishing vessels to facilitate their identification and tracking.



Agencies Involved in Coastal Security

- For securing the coastline police of all coastal states/UTs, their administrations, Indian Navy, MHA and other Central Ministries are working in coordination. The proposal for the **CSS Phase I and Phase II**, formulated on the basis of vulnerabilities/gap analysis carried out by the coastal States/UTs in consultation with the coast guard has also been approved.

10.7.4.9 Coastal Security Scheme Phase I and II

Approved in January 2005 for implementation in five years with an extension of one year, this scheme stands **completed in March 2011. Phase II was approved on 24 September 2010 for implementation from 1 April 2011 for the next five years.** These schemes made provisions for addition of the following infrastructures.

Sr. No.	Project	Phase I	Phase II
1	Coastal police station	73	131
2	Checkposts	97	
3	Boats	204	180
4	Four-wheelers	153	131
5	Motorcycles	312	242
6	Rubber-inflated boats	10	35

A special provision of sixty jetties with an upgradation of the existing ones has been made in CSS Phase II. Some **key projects of CSS Phase II** have been initiated over the last one-and-a-half year.

- Fast patrol vessels – 14
- Interceptor boats – 20
- Offshore patrol vessels – 07
- Fast interceptor crafts – 02
- Coast guard maritime patrol aircraft – 06
- Coastal surveillance radars – 120
- Sensors for Directorate of lighthouses and light ships
- Procurement of light helicopters for surveillance and recce – 06

- The Indian Navy has established **four Joint Operation Centres (JOCs)** at Mumbai, Kochi, Visakhapatnam and Port Blair resulting in good coordination, synergy and understanding among stakeholders.
- The Indian Navy has now set up the **National Command Control Communication Intelligence (NC3I)** that hosts the **Information Management and Analysis Centre (IMAC)**. The focus is on building **National Maritime Domain Awareness (NMDA)** grid via a number of organisational, operational and technological changes. This network connects fifty-one radar stations (twenty Navy and thirty-one Coast Guards) located along the coasts and the island territory. It will collate, fuse and disseminate critical intelligence and information about suspicious activities and movements at the sea.
- The Indian Government is in talks with twenty-four countries for exchanging information on shipping to reinforce the NMDA.
- For the security of island territories, the Indian Government has set up a JOC on the Andaman and Nicobar Islands, ANCs comprising personnel of the Indian Navy, the Army, the Air force and the Coast Guard.

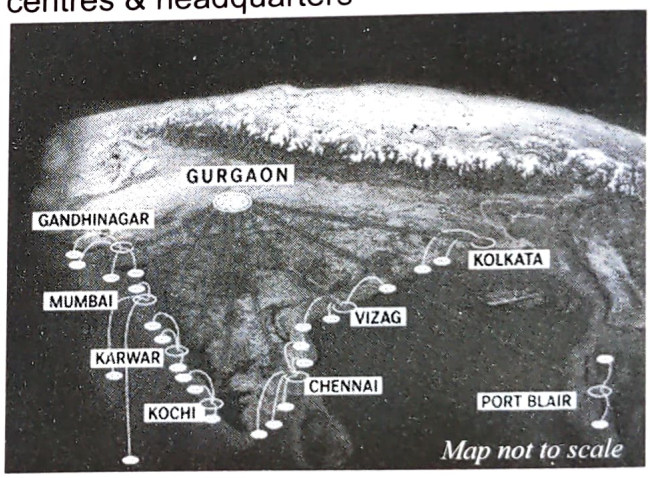
10.7.4.10 National Command Control Communication Intelligence (NC3I) Project

India is looking to tie up with as many as twenty-four countries for exchange of merchant shipping data, even as its naval intelligence network to track ships in real time has now finally become a reality six years after 26/11.

The outreach to the twenty-four countries, spread from Africa's East coast to well beyond the Malacca Strait, is being led by the NSA. Though this will take time to fructify, the government is now all set to give the final nod to the NMDA project to bolster multi-agency coordination and augment ongoing efforts to strengthen maritime and coastal security.

The overall endeavour is to enable the country to keep track of both conventional and unconventional threats in its primary area of geopolitical interest across the IOR and 'neutralise' them if required.

- National Command Control Communication Intelligence Network
- Conceived after 26/11, network interlinks 20 Navy & 31 Coast Guard stations, joint op centres & headquarters
- Project cost ₹435 cr
- Analyses data from radars, space & terrestrial AIS, VTMS and world ship registry
- Tracks all ships, even those in South China Sea
- Central hub to be inaugurated in Gurgaon on Sunday



A major step towards this will be the inauguration of the central hub of NC3I network, which can track 30,000–40,000 ships on a daily basis.

Taking feed and input from multiple sources ranging from coastal radars to satellites, the **Information Management and Analysis Centre (IMAC)** at Gurgaon will fuse, correlate and analyse them to assess threats at the sea. It is very easy to guard the land borders through fencing, electronic devices and pickets. But at the sea, there is no such luxury. The **NC3I network** will alert us to unusual or suspicious movements and activities at the sea.

The bigger plan is to opt for the NMDA project, which is now awaiting clearance from the Cabinet Committee on security. The **NC3I will be the heart or backbone of the NMDA project**.

While the Navy and the Coast Guard are behind the NC3I network, the NMDA project will bring all stakeholders – the several Union Ministries dealing with maritime affairs as well as Coastal States and Union Territories – on the same grid.

It will then be much easier to intercept a fishing boat like Kuber, which was used by Ajmal Kasab and nine other terrorists to reach Mumbai and unleash havoc during the 26/11 strikes. The carnage exposed the lack of critical connectivity between the intelligence and security agencies.

As per the blueprint, the state monitoring centres in Coastal States/UTs will act as nodes for the NMDA project, while a shipping hub and fisheries monitoring centre will also be established. The four existing joint operations centres at Mumbai, Kochi, Vizag and Port Blair, set up in the aftermath of 26/11, will also be upgraded.

10.7.4.11 Few Definitions Related to Maritime Security

Internal waters: The term refers to **all waters landward of the baseline (e.g. low water line) and all harbours**. Any law in force in the country, including the common law, will also apply in its internal waters and airspace above its internal waters. The right of innocent passage does not exist here.

Territorial waters: It refers to the **sea within a distance of 12 nm from the baseline**. Any law in force in the country, including the common law, will also apply in its internal waters and airspace above its internal waters. The right of innocent passage will exist here. Submarines and other underwater vessels are required to navigate on the surface and show their flag.

Contiguous zone: This zone refers to the sea **beyond the territorial waters but within a distance of 24 nm from the baseline**. Within this contiguous zone and airspace above it, the country shall have the right to exercise all powers to prevent contravention of any fiscal law or any customs, immigration or sanitary law and to make such contravention punishable.

Exclusive economic zone: It is a term for the **sea beyond the territorial waters but within a distance of 200 nm from the baseline**. This zone is subjected to any other laws the country shall have, in respect of all natural resources, the same rights and powers it has in respect of territorial waters.

10.8 Air Space Security, Challenges and Management

The changing scenario of security threats and challenges forces a nation to secure all its frontiers. Secured airspace is one of the layers of defence along with ground and marine-based security preparedness, necessary to crush any threat coming from the space or targeting this area.

Before entering into security aspects of the airspace, we must have a clear idea of what airspaces encompass. Airspace is the area of the atmosphere above the territory of the state. The second decade of the twentieth century saw an increase in the international use of aircraft for carrying passengers, cargo and military assets, and this led to the question of air sovereignty. The **Paris Convention (1919)** was the first of its kind to bring some clarity to the definition of air space and airspace sovereignty. Later in 1944, **the Chicago Convention of International Civil Aviation** established a UN agency

named **International Civil Aviation Organisation (ICAO)** for coordinating and regulating use of the airspace. **Presently, the ICAO has 191 member states including India.** Both these conventions are considered a milestone in airspace management.

'Every state has inclusive sovereignty over their airspace directly above its territory including its territorial waters'.

10.8.1 Few Definitions in Airspace

Controlled airspace: It is defined as the airspace of defined dimensions within which air traffic control measures are provided.

Uncontrolled airspace: In uncontrolled airspace, all kinds of flights are permitted where all participating flights can receive flight information services, if required.

Prohibited area: The prohibited area is generally defined in the airspace keeping the national security concerns in mind and sometimes environmental concerns too. Within this space, the flights are not permitted at any time or under any circumstances.

Restricted area: A restricted area is the airspace of defined dimensions above the land area or territorial waters of a state within which the flight of aircraft is restricted in accordance with specific conditions.

Danger area: It may be quite a large portion of the airspace within which artillery practices, missile firing and other activities may take place and so the flight of aircraft is restricted.

We can see that such zones restrict the airspace to a very limited corridor for civil aviation traffic. As the restricted areas and the danger areas generally remain inactive for much of the time after their notification, a concept of **Flexible Use of Airspace (FUA)** has been evolved to optimise the use of airspace for commercial purposes as well.

10.8.2 Indian Airspace

Indian airspace is a **great, three-dimensional space of 40 million cu. km** covering the Indian mainland, islands and its territorial waters under its umbrella. Factors like our hostile neighbours, increased air traffic owing to economic liberalisation and need to keep an eye on trade routes make our airspace management important and challenging. Indian airspace, like any other airspace, has limited space left for civil aviation traffic and most of the airspace are marked prohibited, restricted or danger zone. Though these zones have their security significance, economic and commercial aspects need to be addressed with an effective management of our airspace with increased investment in surveillance and other security measures. **The European concept of FUA is being incorporated in managing our airspace for its efficient use for commercial exploits.**

10.8.3 Security Challenges

The security challenges to the Indian airspace are highlighted by the infamous Purulia Arms drop case of 1995, followed by shooting down of a Pakistan Air Force's surveillance aircraft killing all seventeen on board in 1998. Besides these, many minor incidences of airspace violation by our neighbouring countries come into light from time to time. The incidents of global ramifications like 9/11 attack on WTC in the United States, where civilian aircraft were used to bring havoc; recent disappearance of Air Malaysia aircraft MH370 and downing of another Malaysian air aircraft MH17 near Ukraine must be kept in mind while planning for Indian airspace management.

10.8.4 Measures

To keep our vast airspace secure and manage the air traffic within this space, India needs to **upgrade its existing infrastructures and procedures**. All the stakeholders of our airspace need to come together to **institutionalise airspace management** for maintaining air traffic as well as safeguarding its strategic security concerns. **Airspace management encompasses** measures of air defense carried out by the Indian Air Force in association with the Indian Army and Indian Navy in certain areas, **Air Traffic Services (ATS)** provided by Airport Authority of India, Indian Air Force and to some extent by Hindustan Aeronautical Limited (HAL) and limited air defense roles of the Indian Army and Indian Navy.

Airspace management comprises the following activities:

- Regulatory functions
- Surveillance
- Control mechanism
- Weapon system and interceptors
- Air traffic control

10.8.5 Air Defense Identification Zone (ADIZ)

India has established its own ADIZ and procedures for identification, location and control of all the aircraft within its airspace. There are a **total six ADIZs covering the Indian Territory,** namely North, West, Central, East, South and South-East. ADIZ South also includes airspace over and up to the territorial waters of Lakshadweep Islands.

All aircraft flying in the air space above the Indian Territory, including territorial waters adjacent thereto, are required to follow the established ATS routes as promulgated by Notam or Aeronautical information Publication or any other route over which the flight is specifically permitted. Pilots are cautioned not to fly in the air space over the Indian Territory within 15 nm of the border of India except when following an ATS or specifically permitted

route or when operating to or from any aerodrome situated within 15 nm of border of India. If an aircraft penetrates into/operates within an ADIZ without Air Defence Clearance, strays into a restricted area/prohibited area/ danger area or fails to inform the Air Traffic Control Centre about its deviation/ intended deviation from the route, it will be liable to interception by a fighter aircraft.

Probable Questions Based on This Chapter

1. What are the challenges that border management in India faces?
2. How far are internal security challenges linked with border management?
3. How far are India's internal security challenges linked with border management particularly in view of the long porous borders with most countries of South Asia and Myanmar?
4. Border management is a complex task due to difficult terrain and hostile relations with some countries. Elucidate the challenges and strategies for effective border management.
5. Management of Indian border disputes – a complex task. (Essay)

Security Forces and their Mandate

Chapter 11

11.1 Central Armed Police Forces (CAPF)

There are **two types of central security forces**, viz. CAPF and CPMF.

CAPF stands for Central Armed Police Forces. This new terminology was introduced in 2011 on the request of the Army. Presently, the CAPF comprises the following **eight police forces** of the Centre.

(1) BSF (2) CRPF (3) ITBP (4) CISF
(5) SSB (6) NSG (7) SPG (8) RPF

The **first six**, viz. BSF, CRPF, ITBP, CISF, SSB and NSG, are under the administrative control of the **Ministry of Home Affairs (MHA)**, while the **SPG** is under the **Cabinet Secretariat** and the **RPF** is under the **Ministry of Railways**. They all are headed by senior IPS officers. Most of the higher posts in these five are filled through deputation by IPS officers. These forces assist and report to the MHA. Earlier, they were known as **Central Paramilitary Forces** (CPMFs). Out of these five, BSF, SSB and ITBP are the border-guarding forces, while the CRPF is for internal security and election duties.

The CRPF also provides security to major critical installations of the country. The **NSG** is the commando force meant for counterterrorism but also looks after high-risk VIP security. The **SPG** is for proximate security of the PM and ex-PM, while the RPF guards railway property and ensures passenger safety.

11.1.1 Border Security Force

The Border Security Force (BSF) is a **border guarding force**. It was established on **1 December 1965**. Its primary role is to guard India's international borders with **Pakistan and Bangladesh** during peacetime and prevent trans-border crime. The BSF is **headed by an IPS officer** and is under the administrative control of the **MHA**. The Indo–Pakistani War of 1965 demonstrated the inadequacies of the existing border management system

and led to the formation of the BSF as a unified central agency with the specific mandate of guarding India's international boundaries with Pakistan. The BSF had trained, supported and formed a part of **'Mukti Bahini'**. It also played an important role in the liberation of Bangladesh.

The BSF has a strength of **2,50,000 personnel in 186 battalions**. Some of its battalions are also deployed with the CRPF in the Naxal-affected region of Dandakaranya and Jammu and Kashmir. The air wing of the BSF also played a constructive role in the relief work in Uttarakhand during the Kedarnath disaster in 2013.

Two battalions of the BSF, located at Kolkata and Guwahati, are designated as the **National Disaster Response Force (NDRF)**.

11.1.1.1 Role of the BSF During Peacetime

During peacetime, the BSF is associated with the following:

- To promote a sense of security among the people living in the border areas
- To prevent trans-border crimes, unauthorised entry into or exit from the territory of India
- To prevent smuggling and any other illegal activities on the border
- Anti-infiltration duties
- To collect trans-border intelligence

11.1.1.2 Role of the BSF in Times of War

During the war, the BSF is responsible for:

- Holding ground in assigned sectors
- Limited aggressive action against the border guarding force of the enemy or neighboring countries or irregular forces of the enemy
- Maintenance of law and order in enemy territory administered under the Army's control
- Guarding of prisoners of war camps
- Acting as guides to the Army in the border areas
- Assistance in control of refugees
- Escorting the army in times of war in various areas
- Performing special tasks connected with intelligence, including raids

11.1.2 Central Reserve Police Force

The **Central Reserve Police Force** (CRPF) is the **largest Central Armed Police Force (CAPF) in the country**. It came into existence as the **Crown Representative's Police on 27 July 1939**. After India's Independence, it became the Central Reserve Police and since then, the Force has achieved remarkable growth in strength and capabilities. It has a strength of **234**

battalions (Bns) including raising and underraising Bns. The CRPF has also raised three NDRF battalions to assist during natural calamities and disasters. It functions under the aegis of the MHA of the Government of India. The CRPF is headed by an IPS officer.

Role: The CRPF's primary role lies in assisting the State/Union Territories for internal security and maintaining law and order, contain insurgency and carry out anti-Naxal operations. The CRPF also plays an important role in conducting elections across the country. Besides, it also provides security at some of the vital installations and buildings, including the shrine of Mata Vaishno Devi in Jammu and other religious shrines.

Some specialised formations of the CRPF are as follows:

1. Rapid Action Force (RAF): It is a specialised ten battalion wing of the CRPF. It was formed in October 1992 to deal with communal riots and related civil unrest. It is a specialised force with multi-ethnic composition and better mobility for swift action to control communal riots.
2. Commando Battalions for Resolute Action (CoBRA) Bn: There are ten specialised battalions named CoBRA, and these battalions became operational during 2008–09. They are trained and equipped for commando operations especially against left-wing extremism and are capable of undertaking intelligence-based quick operations.
3. Special Duty Group (SDG) and Parliament Duty Group (PDG): SDG is an elite CRPF unit tasked to provide armed protection to SPG protected places. It comprises personnel drawn from various units of the CRPF. SDG members are trained in combating nuclear and biochemical attacks, rescue operations and behavioural management. The PDG is also an elite CRPF unit tasked to provide armed protection to the Parliament House. The creation of the PDG was mooted in the aftermath of the 2001 Parliament terror attack. It comprises 1,540 personnel drawn from various units of the CRPF. PDG members are also trained in combating nuclear and biochemical attacks, rescue operations and behavioural management. The PDG has distinct units of security personnel, communications experts, quick reaction teams and medical staff.

11.1.3 Indo–Tibetan Border Police

The Indo–Tibetan Border Police (ITBP) is a border guarding force. It is headed by an IPS officer and is under the administrative control of the MHA. The ITBP was established on 24 October 1962 for security along India's border with the Tibet Autonomous Region of China. It was raised with four service battalions in the wake of the Indo–China conflict in 1962. Presently, the battalions of the ITBP are deployed on border guarding duties from the

Karakoram Pass in Ladakh to Diphu La in Arunachal Pradesh, covering 3,488 km of the Indo–China Border. Manned border posts are at altitudes as high as 21,000 feet in the Western, middle and Eastern sectors of the border. The ITBP is a **mountain-trained force** and most of the officers and men are professionally trained mountaineers and skiers.

The ITBP is a multi-dimensional force with primarily five functions:

- Vigil on the Northern borders, detection and prevention of border violations and promotion of the sense of security among the local populace
- Check illegal immigration and trans-border smuggling
- Provide security to sensitive installations and threatened VIPs
- Restore and preserve order in any area in the event of disturbance
- Maintain peace in the country

The border posts manned by the ITBP are exposed to high velocity storms, snow blizzards, avalanches and landslides; besides the hazards of high altitude and extreme cold, where the temperature dips up to minus 40 degrees Celsius.

The ITBP has recently taken on a **disaster management role**. Being the first responder for natural disaster in the Himalayas, the ITBP was the first to establish **six (now eight) Regional Response Centres** in Himachal Pradesh, Uttaranchal and the North-East. It has carried out numerous rescue and relief operations in various disaster situations, which took place in their areas of responsibility as well as other parts of the country. The ITBP has already trained 1,032 personnel in disaster management including ninety-eight personnel in radiological, chemical and biological emergencies.

The ITBP commando units also provide security to the embassy and consulates of India in Afghanistan. The force has also been providing security to pilgrims during the annual **Kailash Mansarovar Yatra since 1981**. The ITBP provides communication, security and medical cover to the yatris.

The ITBP, being deployed in mountains, has developed the expertise in rescue and relief operations in mountains, which entails specialised skills of very high standard. It is always first in extending rescue and relief in case of natural calamities. The ITBP played a critical role in the relief operation in Uttarakhand in 2013. It conducted a large number of civic action programmes in remote border and terrorist-affected areas to provide free and expert medical, health and hygiene care to the civilian population in remote villages.

11.1.4 Central Industrial Security Force

The **Central Industrial Security Force** (CISF) provides security cover to 300 industrial units and other establishments located all over India. It was established in the year **1969**. It provides **security cover to 307**

industrial units including fifty-nine domestic and international airports and fire protection cover to 86 industrial undertakings Industrial sectors such as atomic power plants, space installations, mints, oil fields and refineries, major ports, the Delhi metro, heavy engineering and steel plants, barrages, fertiliser units, airports and hydroelectric/thermal power plants owned and controlled by the Central PSUs, and currency note presses producing Indian currency are protected by the CISF. In a span of four decades, the force has grown manifold and has a sanctioned strength of 1,33,762 as on 31 December 2012. The CISF is headed by an IPS officer and is under the administrative control of MHA With the globalisation and liberalisation of the economy, the CISF has become a premier multi-skilled security agency of the country mandated to provide security to major critical infrastructure installations of the country in diverse regions including terrorist and Naxal-affected areas.

The Indian Parliament on 25 February 2009 authorised the provision of the CISF to provide security to private and cooperative establishments across the country for a fee with the passage of the CISF (Amendment) Act, 2008 The Act also provides for deployment of the CISF to protect the Indian missions abroad and its participation in the UN peacekeeping operations.

The CISF started providing security to the Infosys Bangalore campus in 2009. Infosys Mysore, Reliance Refinery, Jamnagar and the Delhi Metro Airport Express Line are the latest additions to the list of private sector establishments to be placed under CISF cover.

11.1.5 Sashastra Seema Bal

The Sashastra Seema Bal (SSB) is a border guarding force The SSB is headed by an IPS officer and is also under the administrative control of MHA Its primary role is to guard India's international border with Nepal and Bhutan. It was formerly known as the Special Service Bureau

The SSB was set up in early 1963 in the wake of the Sino-Indian War. The primary tasks of the force were to provide armed support for Research and Analysis Wing (RAW) and to inculcate feeling of national belonging in the border population and develop their capabilities for resistance through a continuous process of motivation, training, development, welfare programmes and activities in the then NEFA, North Assam (Northern areas of Assam), North Bengal (Northern areas of West Bengal), the hills of Uttar Pradesh, Himachal Pradesh and Ladakh.

The SSB was renamed as Sashastra Seema Bal in accordance with its new role and came under the administrative control of the MHAs in 2001. This was done after the Kargil War when the 'one border one force' concept was adopted. The SSB was assigned the duty of manning the 1,751 km long India–Nepal Border in 2001. In March 2004, it was assigned the task of guarding the 699 km stretch of India–Bhutan border along the States of

Sikkim, West Bengal, Assam and Arunachal Pradesh. The SSB is also the first border guarding force which has decided to recruit women battalions.

The SSB is also engaged in **counter-insurgency operations** in Jammu and Kashmir and anti-naxal operations in Jharkhand and Bihar. It is performs **internal security duties**, i.e., election duties and law and order duties, in different parts of India.

The role of the SSB comprises the following:

- To promote a **sense of security** among the people living in the border areas
- To **prevent the trans-border crimes** and unauthorised entry or exit from the territory of India
- To **prevent smuggling** and other illegal activities

11.1.6 National Security Guard

The National Security Guard (NSG) is a special force **set up in 1984 as a Federal Contingency Deployment Force** that has primarily been utilised for counter-terrorism activities and was created by the **Cabinet Secretariat** under the **National Security Guard Act of the Indian Parliament in 1986**. It works completely within the CAPF structure. The NSG is a hundred per cent deputation force, and all personnel posted are on deputation from the Army, CAPF, State police and other organisations. Its primary task is to engage and neutralise terrorist threats in specific situations and undertake counter-hijack and hostage rescue missions. They are also assigned the task of providing mobile security protection to VVIPs. The NSG is an elite force providing a second line of defence to the nation. They have played a pivotal role in safeguarding the unity of India and have commendably foiled attempts of anti-national elements to tear apart the social fabric of the country. The NSG has maintained an edge over the terrorist outfits in the possession of the latest technology. They are considered among the best special operations units in the world. The NSG is **headed by an IPS Officer** and is under the administrative control of the **MHA**.

The NSG's specific goals include the following:

- Neutralisation of terrorist threats
- Handling hijacking situations in air and on land
- Bomb disposal (search, detection and neutralisation of IEDs)
- Engaging and neutralising terrorists in specific situations
- Hostage rescue

The NSG performed **Operation Black Tornado** and **Operation Cyclone** to flush out the terrorists and rescue hostages after multiple attacks across Mumbai in the 26/11 attack in 2008. **Four new NSG** hubs were established in Mumbai, Hyderabad, Chennai and Kolkata after this incident.

The **National Bomb Data Centre (NBBC)** under NSG maintains the NBBC at Manesar and conducts post-blast studies in various parts of the country mostly on request from the state authorities. It maintains a data bank on explosives and incidents of blasts which may be of use to security forces.

11.1.7 Special Protection Group

The Special Protection Group (SPG) is the **executive protection agency** of the Government of India. It is responsible for the protection of the Prime Minister of India, former Prime Ministers and their immediate family members. The force is under the control of the **Cabinet Secretariat**.

The force was **established in 1985** after the assassination of Indira Gandhi, erstwhile Prime Minister. It provides proximate security to the protected, including protection provided from close quarters, journey on foot, road, rail, aircraft, watercraft, or any other means of transport, and includes places of functions, engagements, residence, etc. They comprise ring-round teams, isolation cordons, the sterile zone, and the rostrum and access control to the person or members of his/her immediate family.

11.1.8 Railway Protection Force

The Railway Protection Force (RPF) of the Indian Railways is entrusted with the task of protecting the lifeline of the country, namely, the Indian Railways. The strength of the RPF is about 65,000.

The duties of the RPF include the following:

- To engage in all conducive means for the free movement of the railways
- Protection and safeguarding of railway property
- Protection and safeguarding of passengers, their belongings and passenger areas

Originally, the force was called **Watch & Ward** and it functioned under the administrative control of the railway administration. Later on, this force was renamed as the RPF and its members were provided with the power to arrest without warrant for the unlawful possession of railway property. The term Railway Property included only the properties owned by the railway administration. In due course of time, the definition for the term Railway Property was extended and it included the properties owned by, or in the charge of or entrusted with the railways. The offenders are booked under the **Railway Property (Unlawful Possession) Act, 1966,** which is shortly known as RP (UP) Act, 1966. Now the RPF has a separate administrative system and functions under the general supervision of the Railway Administration.

11.2 Central Paramilitary Forces

Central Paramilitary Forces (CPMFs): Assam Rifles and the Indian Coast Guard are the main CPMFs after reclassification.

Assam Rifles: Assam Rifles is fondly known as **'Friends of the North-East People'**. It is the **oldest paramilitary force in the country** with its headquarters at **Shillong**. The force is completely deployed in the North-East and is mandated for a dual role of maintaining the internal security in the North-East and guarding the India–Myanmar border. It is **led and headed by the Army officers**. It assists the Indian Armed Forces but reports to the MHA. It is under the **administrative control of the MHA but operates under the Army**.

Indian Coast Guard: Its mission is the protection of India's **maritime interests and enforcement of maritime law**; with jurisdiction over the territorial waters of India, including its contiguous zone and exclusive economic zone. It operates under the **Ministry of Defence (MoD)**. After the 2008 Mumbai attacks, the government initiated a programme to expand the ICG force, assets and infrastructure. **The force is expected to be tripled between 2010 and 2019 in manpower, vessels and aircraft.**

11.3 Security Agencies and Their Mandates

11.3.1 National Security Architecture of India

- **Cabinet Committee on Security**

  It is the **apex body for executive action** on matters of national security chaired by the Prime Minister and normally includes the Ministers of Defence, External Affairs, Home and Finance. It is responsible for political oversight and decision-making on national security.

- **National Security Council**

  It is the **top executive body of India** which advises the Prime Minister's Office on matters of national security and strategic interests. It was established in **November 1998**. It is a **three-tier organisational structure** consisting of Strategic Policy Group (SPG), National Security Advisor Board (NSAB) and National Security Council Secretariat (NSCS). **In November 2018, Ajit Doval, the National Security Advisor (NSA), was made the Chairman of the SPG.**

Both the NSC and CCS have a common membership which helps in easier decision-making and implementation. The National Security Council (NSC) and NSA advise the Prime Minister's Office on matters of national security.

11.3.2 Intelligence Bureau

The Intelligence Bureau (IB) is India's internal intelligence agency and reputedly the **world's oldest intelligence agency** It was recast as the Central Intelligence Bureau in 1947 under the **MHA**

The Bureau comprises employees from the law enforcement agencies, mostly from the Indian Police Service (IPS) and the military. However, the Director of Intelligence Bureau (DIB) has always been an IPS officer. In addition to domestic intelligence responsibilities, the IB is particularly entrusted with intelligence collection in border areas, following the 1951 recommendations of the **Himmatsinhji Committee (also known as the North and North-East Border Committee)** Prior to 1947, this task was entrusted to military intelligence organisations. All spheres of human activity within India and in the neighbourhood are allocated to the charter of duties of the IB. The IB is used to garner intelligence from within India and also execute counter-intelligence and counter-terrorism tasks.

The IB reportedly has a lot of successes to its credit, but operations conducted by the IB are rarely declassified. Due to the extreme secrecy surrounding the agency, there is little concrete information available about it or its activities.

The IB was initially India's internal and external intelligence agency. After the Sino–Indian War of 1962, and later on, Indo–Pakistani War in 1965, it was bifurcated in 1968 and entrusted with the task of internal intelligence only.

The IB is the main coordinating agency regarding **counter-terrorism** It coordinates with various states' police all over the country.

The IB has had mixed success in counter-terrorism. It was reported in 2008 that the IB had been successful in busting terror modules. It alerted the police before the Hyderabad blasts and gave repeated warnings of a possible attack on Mumbai through sea before the November 2008 Mumbai attacks.

11.3.3 National Investigation Agency

The National Investigation Agency (NIA) is a **federal agency** established by the Indian Government to combat terror in India. It acts as the **central counter-terrorism law enforcement agency**. The agency is empowered to deal with terror-related crimes across the states without special permission from the states. The Agency came into existence with the enactment of the **National Investigation Agency Act, 2008** by the Parliament on **31 December 2008**.

The NIA was created after the 2008 Mumbai terror attacks as the need for a central agency to combat terrorism were realised. The founding Director-General of the NIA was **Radha Vinod Raju**, and he served till 31 January 2010.

The Agency has been empowered to conduct investigation and prosecution of offenses under the Acts specified in the Schedule of the **NIA Act**. A State Government may request the Central Government to hand over the investigation of a case to the NIA, provided the case has been registered for the offenses as contained in the schedule to the NIA Act. The Central Government can also order the NIA to take over investigation of any scheduled offense anywhere in India. Officers of the NIA who are drawn from the IPS and the Indian Revenue Service have all the powers, privileges and liabilities which the police officers have in connection with investigation of any offense. In recent times, the NIA has had big successes in **busting an IM module and arresting its key functionaries**.

11.3.4 Multi-Agency Centre

The MAC is a multi-agency centre for **counter-terrorism** whose mandate is to share terrorism-related inputs on a day-to-day basis.

The MAC was created at Delhi and Subsidiary Multi Agency Centres (SMACs) in various states comprising representatives from various security agencies, for streamlining intelligence efforts. Later, the Union Home Minister reviewed the security situation and issued the **MAC (functions, powers and duties) Order, 2008,** on **31 December 2008**. The MAC-SMAC has been functioning since 2002 and has been reoperationalised with effect from 2009. As a follow-up of the above order, 24 × 7 Control Rooms have been set up at the MAC at New Delhi and the SMACs at State Level and at Headquarters of Intelligence Wings of other agencies to ensure timely sharing of information and better coordination between the intelligence agencies. Daily meetings of the Nodal Officers of twenty-five member agencies are being conducted on every working day. Presently, the MAC-SMAC network has **416 nodes** spread across the country and connected to the **MAC HQ at New Delhi**. This includes thirty-one SMAC HQs and thirty-two SSBs located at state capitals (More details on the MAC are provided in Chapter 2).

11.3.5 National Intelligence Grid

The National Intelligence Grid or (NATGRID) is an **integrated intelligence grid** that will link the databases of several departments and ministries of the Government of India so as to collect comprehensive patterns of intelligence that can be readily accessed by the intelligence agencies. It was first proposed in the aftermath of the terrorist attacks on Mumbai in 2008 and was to be operational in 2013 but is yet to happen.

The NATGRID is an **intelligence sharing network** that collates data from the standalone databases of various agencies and ministries of the Indian government. It is a **counter-terrorism measure** that collects and collates a host of information from the government databases, including tax and bank account details, credit card transactions, visa and immigration records and

itineraries of rail and air travel. This combined data will be made available to eleven central agencies – the RAW, the IB, Central Bureau of Investigation (CBI), Financial Intelligence Unit, Central Board of Direct Taxes, Directorate of Revenue Intelligence (DRI), Enforcement Directorate, Narcotics Control Bureau (NCB), Central Board of Excise and Customs and the Directorate General of Central Excise Intelligence.

Unlike the NCTC and the NIA which are central organisations, the NATGRID is a tool that will enable security agencies to locate and obtain relevant information on terror suspects from pooled data of various organisations and services in the country. It will help identify, capture and prosecute terrorists and help pre-empt terrorist plots.

11.3.6 National Technical Research Organisation

The National Technical Research Organisation (NTRO) is a **technical intelligence agency** under the **NSA in the Prime Minister's Office**. It was **set up in 2004**. It also includes National Institute of Cryptology Research and Development (NICRD), which is the first of its kind in Asia.

The NTRO, originally known as the **National Technical Facilities Organisation (NTFO)**, is a highly specialised technical intelligence gathering agency. While the agency does not affect the working of technical wings of various intelligence agencies, including those of the Indian Armed Forces, it acts as a **super-feeder agency** for providing technical intelligence to other agencies on internal and external security. The agency is under the control of India's external intelligence agency, the RAW, although it remains autonomous to some degree. The Group of Ministers (GoM) headed by the then Deputy Prime Minister L. K. Advani had recommended the constitution of the NTFO as a state-of-the-art technical wing of intelligence gathering. Due to security concerns, the recommendations along with such other matters were not made public when the GoM report was published. The organisation does hi-tech surveillance jobs, including satellite monitoring, terrestrial monitoring, Internet monitoring, considered vital for the national security apparatus. The NTRO would require over ₹700 crore ($100 million) to procure different hi-tech equipment from specialised agencies from the world over to become fully functional. Its officials have identified countries from where such gadgets could be procured but refused to reveal them due to 'security and other implications'. The Centre had been working in this direction after the Kargil War in 1999 when the Subrahmanyam Committee report pointed out weaknesses in intelligence gathering in the national security set-up. Sources said the road map for the constitution of the NTFO was prepared by former President Dr A. P. J. Abdul Kalam in October 2001 when he was the Principal Scientific Advisor. It was subsequently mentioned in the GoM Report on internal security.

11.3.6.1 Functions

The agency **develops technology capabilities** in aviation and remote sensing, data gathering and processing, cybersecurity, cryptology systems, strategic hardware and software development and strategic monitoring.

The National Critical Information Infrastructure Protection Centre (NCIIPC), an agency under the control of NTRO, has been created to monitor, intercept and assess threats to crucial infrastructure and other vital installations from intelligence gathered using sensors and platforms which include satellites, underwater buoys, drones, VSAT-terminal locators and fiber-optic cable nodal tap points.

The NTRO also has access to data from Technology Experiment Satellite (TES), Cartosat-2A and Cartosat-2B besides two Radar Imaging Satellites, namely RISAT-1 and RISAT-2.

11.3.7 Financial Intelligence Unit – India

The **Financial Intelligence Unit – India** (FIU-IND) was set by the Government of India on **18 November 2004** as the **Central National Agency** responsible for receiving, processing, analysing and disseminating information relating to suspect financial transactions. The FIU-IND is also responsible for coordinating and strengthening efforts of national and international intelligence, investigation and enforcement agencies in pursuing global efforts against money laundering and related crimes. The FIU-IND is an independent body reporting directly to the Economic Intelligence Council (EIC)**headed by the Finance Minister** .

11.3.7.1 Functions

The main function of the FIU-IND is to receive cash/suspicious transaction reports (STRs), analyse them and, as appropriate, disseminate valuable financial information to the intelligence/enforcement agencies and regulatory authorities.**The functions of the FIU-IND are as follows:**

1. **Collection of Information:** Act as the central reception point for receiving Cash Transaction Reports (CTRs), Cross-Border Wire Transfer Reports (CBWTRs), Reports on Purchase or Sale of Immovable Property (IPRs) and STRs from various reporting entities
2. **Analysis of Information:** Analyse the received information in order to uncover patterns of transactions suggesting suspicion of money laundering and related crimes
3. **Sharing of Information:** Share the information with national intelligence/law enforcement agencies, national regulatory authorities and foreign Financial Intelligence Units
4. **Act as Central Repository:** Establish and maintain a national database on cash transactions and suspicious transactions on the basis of reports received from reporting entities

5. **Coordination:** Coordinate and strengthen, collection and sharing of financial intelligence through an effective national, regional and global network to combat money laundering and related crimes
6. **Research and Analysis:** Monitor and identify strategic key areas on money laundering trends, typologies and developments

11.3.8 Directorate of Revenue Intelligence

The Directorate of Revenue Intelligence (DRI) is an **Indian intelligence agency**. The Directorate is run by officers from **Central Excise and Customs**. The organisation runs on much smaller staff than other intelligence agencies such as the IB or State Police organisations. Though its early days were committed to combating smuggling of gold, it now also addresses narcotics and economic crimes. The DRI routinely makes Fake Indian Currency Note (FICN) seizures, and in May 2012 seized 6.6 kg of heroin worth ₹100 million and arrested 4 people.

11.3.8.1 Charter of Duties of the DRI

- **Collection of intelligence** about smuggling of contraband goods, narcotics, under-invoicing, etc., through sources of India and abroad, including secret sources
- **Analysis and dissemination** of such intelligence to the field formations for action and working on such intelligence, where necessary
- Keeping a **watch over the important seizures and investigation** cases. Associating or taking over the investigations which warrant specialised handling by the Directorate
- **Guiding important investigation/prosecution cases**. Keeping liaison with the foreign countries, Indian missions and enforcement agencies abroad on anti-smuggling matters
- To keep **liaison with the CBI** and through them with the **Interpol**. To refer cases registered under the Customs Act to the Income Tax Department for an action under the Income Tax Act
- To keep **statistics of seizures and prices/rates**, etc., for watching trends of smuggling and supply required material to the Ministry of Finance and other ministries
- To study and suggest **remedies for loopholes** in law and procedures to combat smuggling

11.3.9 Narcotics Control Bureau

The Centre constituted the Narcotics Control Bureau (NCB) on **17 March 1986**. The Bureau, subject to the supervision and control of the Central Government, exercises the **powers and functions of the Central Government for taking measures with respect to the following:**

- **Coordination of actions** by various offices, State Governments and other authorities under the NDPS Act, Customs Act, Drugs and Cosmetics Act and any other law for the time being in force in connection with the enforcement provisions of the NDPS Act, 1985
- **Implementation of the obligation** in respect of counter measures against illicit traffic under the various international conventions and protocols that are in force at present or which may be ratified or acceded to by India in future
- **Assistance to concerned authorities** in foreign countries and concerned international organisations to facilitate coordination and universal action for prevention and suppression of illicit traffic in these drugs and substances
- **Coordination of actions** taken by the other concerned ministries, departments and organisations in respect of matters relating to drug abuse

The **Narcotic Drugs and Psychotropic Substances Act, 1985** came into effect from the **14 November 1985** made an express provision for constituting a Central Authority for the purpose of exercising the powers and functions of the Central Government under the Act.

The NCB is the **apex coordinating agency**. It also functions as an enforcement agency through its zones and sub-zones. Zones are located at Ahmedabad, Bengaluru, Chandigarh, Chennai, Delhi, Guwahati, Indore, Jammu, Jodhpur, Kolkata, Lucknow, Mumbai, and Patna. Sub-zones are located at Ajmer, Amritsar, Bhubaneswar, Dehradun, Goa, Hyderabad, Imphal, Mandsaur, Madurai, Mandi, Raipur, Ranchi and Thiruvananthapuram. The zones and sub-zones collect and analyse the data related to seizures of narcotic drugs and psychotropic substance; study trends, modus operandi; collect and disseminate intelligence and work in close cooperation with the Customs, State Police and other law enforcement agencies.

The National Policy on Narcotic Drugs and Psychotropic Substances is based on the **Directive Principles**, contained in **Article 47** of the Indian Constitution, which direct the State to endeavour to bring about prohibition of the consumption, except for medicinal purposes, of intoxicating drugs injurious to health. The government's policy on the subject which flows from this constitutional provision is also guided by the international conventions on the subject.

India is a signatory to the single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol, the Conventions on Psychotropic Substances, 1971, and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988.

The broad legislative policy is contained in the three Central Acts, viz. **Drugs and Cosmetics Act, 1940**, The **Narcotic Drugs and Psychotropic Substances Act, 1985**, and **The Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988**. The responsibility of drug

abuse control, which is a central function, is carried out through a number of ministries, departments and organisations. These include the Ministry of Finance, Department of Revenue, which has the nodal coordination role as administrator of the **Narcotic Drugs and Psychotropic Substances Act, 1985,** and the **Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988**.

11.3.10 National Disaster Response Force

Two national calamities in quick succession in the form of the Odisha Super Cyclone (1999) and Gujarat Earthquake (2001) brought about the realisation of the need of having a specialist response mechanism at the national level to effectively respond to disasters. This led to the enactment of the **Disaster Management Act on 26 December 2005**. The NDMA was constituted to lay down the policies, plans and guidelines for disaster management.

The DM Act has made the statutory provisions for the constitution of the NDRF for the purpose of specialised response to natural and man-made disasters. Accordingly, in 2006, the NDRF was constituted with eight batallions (two Bn each from the BSF, CRPF, ITBP and CISF). As on date, the NDRF has a strength of ten Bns. Each NDRF Bn consists of 1,149 personnel. The Union cabinet has also approved the conversion/upgradation of two Bns from the SSB.

The force is gradually emerging as the most visible and vibrant multi-disciplinary, multi-skilled, high-tech, stand-alone force capable of dealing with all types of natural and man-made disasters.

The DM Act, 2005, envisages a paradigm shift from the erstwhile response centric syndrome to a proactive, holistic and integrated management of disasters with emphasis on prevention, mitigation and preparedness. This national vision *inter alia* aims at inculcating a culture of preparedness among all stakeholders.

The NDRF has proved its importance in achieving this vision by highly skilled rescue and relief operations, regular and intensive training and re-training, capacity building and familiarisation exercises within the area of responsibility of respective NDRF Bns, carrying out mock drills and joint exercises with the various stakeholders.

- **Vision of the NDRF is to emerge as the most visible and vibrant multi-disciplinary, multi-skilled, high-tech force capable to deal with all types of natural as well as manmade disasters and to mitigate the effects of disasters.** They claim to be the only dedicated disaster response force of the world.

11.3.10.1 Role and Mandate of the NDRF

- Specialised response during disasters
- Proactive deployment during impending disaster situations

- Acquire and continually upgrade its existing training and skills
- Liaison, reconnaissance, rehearsals and mock drills
- Impart basic and operational level training to the State Response Forces (Police, Civil Defence and Home Guards) vis-à-vis Community – All NDRF Bns are actively engaged in various:
  - Community Capacity Building Programmes
  - Public Awareness Campaigns
  - Exhibitions: Posters, Pamphlets, Literatures

11.3.11 Special Frontier Force

The Special Frontier Force (SFF) is a **paramilitary special force of India created on 14 November 1962**. Its main goal originally was to conduct covert operations behind Chinese lines in the event of another Sino-Indian War.

The SFF came to be known as **'Establishment 22'** due to its first **Inspector General, Major General (Retd.) Sujan Singh Uban** of the Indian Army, who used to be commander of the 22nd Mountain Regiment during the Second World War, a Military Cross holder and a legendary figure in the British India Army. Singh commanded the 22nd Mountain Regiment during the Second World War in Europe and a Long Range Desert Squadron (LRDS) in North Africa.

Based in Chakrata, Uttarakhand, the force was put under the direct supervision of the IB, and later, the RAW, India's external intelligence agency.

11.3.12 Research and Analysis Wing

The Research and Analysis Wing (RAW) is the **primary foreign intelligence agency** of India. It was established on **21 September 1968** following the intelligence failures of the Sino-Indian and Indo–Pakistani wars, which persuaded the Government of India to create a specialised, independent agency dedicated to foreign intelligence gathering; previously, both domestic and foreign intelligence had been the purview of the IB.

During the nine-year tenure of its **first Director, Rameshwar Nath Kao**, the RAW quickly came to prominence in the global intelligence community, playing a role in major events such as the Independence of Bangladesh and the accession of the State of Sikkim to India. The agency's primary function is gathering foreign intelligence, engaging in counterterrorism, promoting counter-proliferation, advising Indian policy makers and advancing India's foreign strategic interests. It is also involved in the security of India's nuclear programme. Many foreign analysts consider the RAW to be an effective organisation and identify it as one of the primary instruments of India's national power.

Headquartered in New Delhi, the head of the RAW is designated **'Secretary (Research)'** in the **Cabinet Secretariat**, and is under the direct

command of the **Prime Minister** and reports on an administrative basis to the Cabinet Secretary of India, who reports to the Prime Minister.

11.3.12.1 Mandate

The **present RAW objectives** include, and are not limited to:

- **Monitoring** the political, military, economic and scientific developments in countries which have direct bearing on India's national security and the formulation of its foreign policy
- **Moulding** international public opinion and influence the foreign governments with the help of the strong and vibrant Indian diaspora
- **Covert operations** to safeguard India's national interests
- **Anti-terror operations** and neutralising terror elements posing a threat to India.

In the past, following the Sino-Indian war of 1962 and due to India's volatile relations with Pakistan, the **RAW's objectives had also consisted of the following** :

- To **watch the development** of international communism and the schism between the two big communist nations, the Soviet Union and China. As with other countries, both these powers had direct access to the communist parties in India
- To **control and limit the supply of military hardware** to Pakistan, mostly from European countries, America and more importantly from China

11.3.13 Central Bureau of Investigation

The Central Bureau of Investigation (CBI) is the **foremost investigative police agency** in India. It is under the jurisdiction of the Government of India. The CBI is involved in major criminal probes and is the **Interpol agency** in India. It was established in **1941 as the Special Police Establishment**, tasked with domestic security. It was **renamed as Central Bureau of Investigation on 1 April 1963** . Its **motto is 'Industry, Impartiality, Integrity'** .

Agency **headquarters are located in New Delhi** , with field offices located in major cities throughout India. The CBI is overseen by the **Department of Personnel and Training of the Ministry of Personnel, Public Grievances and Pensions of the Centre, headed by a Union Minister who reports directly to the Prime Minister** . While analogous in structure to the Federal Bureau of Investigation in the United States of America, the CBI's powers and functions are limited to specific crimes by Acts (primarily the **Delhi Special Police Establishment Act, 1946**).

The CBI established a reputation of India's foremost investigative agency with the resources for complicated cases, and it was requested to assist the investigation of crimes such as murder, kidnapping and terrorism. The Supreme Court and a number of High Courts in the country also began

assigning such investigations to the CBI on the basis of petitions filed by the aggrieved parties. In 1987, the CBI was divided into two divisions: the Anti-Corruption Division and the Special Crimes Division.

The CBI is headed by a Director, an IPS officer with a rank of Director General of Police. The director is selected based on the CVC Act 2003, and has a two-year term.

The amended Delhi Special Police Establishment Act empowers a committee to appoint the Director of CBI. The committee consists of the following people:

- Prime Minister – Chairperson
- Leader of Opposition – Member
- Chief Justice of India or a Supreme Court Judge recommended by the Chief Justice – Member

While making recommendations, the committee considers the views of the outgoing Director.

The selection committee mentioned above was constituted under the Lokpal and Lokayuktas Act, 2013.

The legal powers of investigation of the CBI are derived from the DSPE Act 1946, which confers powers, duties, privileges and liabilities on the Delhi Special Police Establishment (CBI) and officers of the Union Territories. The Central Government may extend to any area (except Union Territories) the powers and jurisdiction of the CBI for investigation, subject to the consent of the government of the concerned state. Members of the CBI at or above the rank of sub-inspector may be considered officers in charge of the police stations. Under the Act, the CBI can investigate only with notification by the Central Government.

11.3.13.1 CBI and Its relationship with the State Police

Maintaining law and order is a state responsibility as 'police' is a State subject, and the jurisdiction to investigate a crime lies with the State Police exclusively. With respect to the states, the CBI being a Union subject, may investigate the following:

- Offences against Central Government employees, or concerning affairs of the Central Government and employees of Central public-sector undertakings and public-sector banks
- Cases involving the financial interests of the Central Government
- Breaches of the central laws enforceable by the Government of India
- Major fraud or embezzlement; multi-state organised crime
- Multi-agency or international cases

The CBI can also investigate important cases related to the State Police with the concurrence of the concerned State Government.

11.3.14 Enforcement Directorate

The **Directorate General of Economic Enforcement** (Hindi: प्रवर्तन निदेशालय) is a law enforcement agency and economic intelligence agency responsible for enforcing economic laws and fighting economic crime in India. It is a part of the **Department of Revenue, Ministry of Finance**. It comprises officers of the Indian Revenue Service, IPS and the Indian Administrative Service. The origin of this Directorate goes back to **1 May 1956**, when an **'Enforcement Unit'** was formed, in the Department of Economic Affairs, for handling Exchange Control Laws violations under the **Foreign Exchange Regulation Act, 1947**. In the year **1957**, this Unit was **renamed as 'Enforcement Directorate'**.

The **prime objective** of the Enforcement Directorate is the **enforcement of two key Acts** of the Government of India, namely the **Foreign Exchange Management Act 1999 (FEMA)** and the **Prevention of Money Laundering Act 2002 (PMLA)**.

11.3.15 Indian Armed Forces

The Indian Armed Forces are the **military forces** of the Republic of India. It consists of **three professional uniformed services: the Indian Army, Indian Navy and Indian Air Force**. The **President of India is the Supreme Commander** of the Indian Armed Forces. The Indian Armed Forces are under the management of the **MoD** of the Government of India. With a strength of over 1.3 million active personnel, it is the **world's third largest military force** and has the **world's largest volunteer army**.

The headquarters of all the three armed forces – the Indian Army, Indian Navy and Indian Air Force – are situated in **New Delhi**.

The Armed Forces have four main tasks:

- To assert the **territorial integrity** of India
- To **defend the country**, if attacked by a foreign nation
- To **support the civil community** in case of disasters (e.g. flooding)
- To **participate** in the United Nations peacekeeping operations in consonance with India's commitment to the United Nations Charter.

Probable Questions Based on This Chapter

1. What do you understand by Central Armed Police Force?
2. What is the mandate of the National Investigation Agency (NIA)?
3. What is the role of the MAC and NATGRID in strengthening internal security?

Disaster Management

Chapter 12

12.1 Definition of Disaster

India is **one of the most disaster-prone countries** in the world. Its location and geographical features render it vulnerable to a number of natural hazards including cyclones, droughts, floods, earthquakes, forest fires, landslides and avalanches. A **disaster** is an event that causes a sudden disruption to the normal life of a society and causes damage to property and lives, to such an extent that normal social and economic mechanisms available to the society are inadequate to restore normalcy.

According to the United Nations, **'Disaster is a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources'.**

It is the result of a **combination of a number of factors** which include:

- Exposure to natural hazards
- Existing conditions of vulnerability
- Insufficient capacity or measures to cope with potential negative consequences
- Inappropriate management of risks and vulnerabilities

A **hazard** is a threat, a future source of danger with the potential to cause damage to:

- **People:** Death, injury, disease and stress
- **Property:** Damage to property, economic loss, loss of livelihood and status
- **Environment:** Loss of fauna and flora, pollution, loss of biodiversity

12.2 Types of Disasters

Disasters can be classified into **two types**:

- Natural disasters
- Man-made disasters

12.2.1 Natural Disasters

Natural disasters are caused by:

- Flood
- Earthquake
- Tsunami
- Drought
- Cyclone
- Landslide
- Avalanche
- Hurricane
- Volcano eruption
- Cold wave
- Forest fire

A list of major natural disasters is given below:

Family	Main Event	Short Description/Secondary Disaster
1. Geophysical	Earthquake/ Mass movement of Earth materials	■ Landslide following earthquake ■ Urban fires triggered by earthquakes ■ Liquefaction – the transformation of (partially) water-saturated soil from a solid state to a liquid state caused by an earthquake ■ Mass movement of Earth materials, usually down slopes ■ Surface displacement of earthen materials due to ground shaking triggered by earthquakes

Family	Main Event	Short Description/Secondary Disaster
	Volcano	■ Surface displacement of earthen materials due to ground shaking triggered by volcanic eruptions ■ A type of geological event near an opening/vent in the Earth's surface including volcanic eruptions of lava, ash, hot vapour, gas and pyroclastic material ■ Ash fall; Lahar – hot or cold mixture of earthen materials flowing on the slope of a volcano either during or between volcanic eruptions ■ Lava flow ■ Pyroclastic flow – extremely hot gases, ash and other materials of more than 1,000 degrees Celsius that rapidly flow down the flank of the volcano (more than 700 km/h) during an eruption
	Tsunami	A series of waves (with long wave-lengths when travelling across the deep ocean) that are generated by a displacement of massive amounts of water through under-water earthquakes, volcanic eruptions or landslides. Tsunami waves travel at very high speed across the ocean but as they begin to reach shallow water, they slow down and the wave grows steeper.
2. Hydrological	■ Flood ■ Landslide	■ **Avalanche** – a large mass of loosened Earth material, snow or ice that slides, flows or falls rapidly down a mountainside under the force of gravity

Family	Main Event	Short Description/Secondary Disaster
		■ **Coastal erosion** – The temporary or permanent loss of sediments or landmass in coastal margins due to the action of waves, winds, tides or anthropogenic activities ■ **Coastal flood** – Higher-than-normal water levels along the coast caused by tidal changes or thunderstorms that result in flooding, which can last from days to weeks ■ **Debris flow, Mud flow, Rock fall** – Types of landslides that occur when heavy rain or rapid snow/ice melt send large amounts of vegetation, mud or rock down slope by gravitational forces ■ **Flash flood hydrological** – Heavy or excessive rainfall in a short period of time that produces immediate runoff, creating flooding conditions within minutes or a few hours during or after the rainfall ■ **Flood hydrological** – A general term for the overflow of water from a stream channel onto normally dry land in the floodplain (riverine flooding), higher-than-normal levels along the coast and in lakes or reservoirs (coastal flooding) as well as ponding of water at or near the point where the rain fell (flash floods)

Family	Main Event	Short Description/Secondary Disaster
		■ **Wave action** – Wind-generated surface waves that can occur on the surface of any open body of water such as oceans, rivers and lakes, etc. The size of the wave depends on the strength of the wind and the travelled distance (fetch).
3. Meteorological	Hazard caused by short-lived, micro- to meso-scale extreme weather and atmospheric conditions that may last for minutes to days	■ Cyclone, storm surge, tornado, convective storm, extratropical storm, wind ■ Cold wave, derecho ■ Extreme temperature, fog, frost, freeze, hail, heat wave ■ Lightning, heavy rain ■ Sand storm, dust storm ■ Snow, ice, winter storm, blizzard
4. Climatological	Unusual, extreme weather conditions related to long-lived, meso-to macro-scale atmospheric processes ranging from intra-seasonal to multi-decadal (long-term) climate variability	■ Drought ■ Extreme hot/cold conditions ■ Forest/Wildfire fires ■ Glacial lake outburst ■ Subsidence
5. Biological	Exposure to germs and toxic substances	■ Epidemics: viral, bacterial, parasitic, fungal or prion infections ■ Insect infestations ■ Animal stampedes

12.2.2 Man-made Disasters

Man-made disasters can be classified as:

- Nuclear disasters
- Chemical disasters
- Biological disasters
- Pandemic emergencies, epidemic
- Fire (building, coal, forest, oil)
- Pollution (air, water, industrial)
- Deforestation
- Accidents (road, rail, sea, air)
- Industrial accidents
- Riots
- Hijacking
- Terrorism

Chemical, biological, radiological and nuclear (CBRN) hazards rank very high among the human-induced risks.

12.2.3 Levels of Disasters

Disaster management and its planning at various tiers must take into account the vulnerability of the disaster-affected area, and the capacity of the authorities to deal with the situations. Using this approach, the **High Power Committee on Disaster Management**, in its report of **2001**, categorised disaster situations into **three 'levels': L1, L2 and L3**. The period of normalcy, L0, should be utilised for disaster risk reduction.

Level-L1: The level of disaster that **can be managed within the capabilities and resources at the district level**. However, the state authorities will remain in readiness to provide assistance if needed.

Level-L2: This signifies the disaster situations that **require assistance and active mobilisation of resources at the state level and deployment of state level agencies** for disaster management. The central agencies must remain vigilant for immediate deployment, if required by the state.

Level-L3: This corresponds to a **nearly catastrophic situation or a very large-scale disaster** that overwhelms the state and district authorities.

The categorisation of disaster situations into levels L1 to L3 finds no mention in **Disaster Management Act (DMA), 2005**. Further, the DMA does not have any provision for notifying any disaster as a **'national calamity'** or a **'national disaster'**.

12.3 Phases of Disaster Management

12.3.1 Phase 1: Before the Crisis (Risk Reduction)

Preparedness: This is the period when the potential hazard, risk and vulnerabilities can be assessed and steps can be taken for:

1. Preventing and mitigating the crisis and
2. Preparing for actual occurrence.

Crisis can also be mitigated through various **short-term measures** which either reduce the scale and intensity of the threat or improve the durability and capacity of the elements at risk. For example, better enforcement of building codes and zoning regulations, proper maintenance of drainage systems, better awareness, and public education to reduce the risks of hazards, etc., help in containing the damage.

12.3.2 Phase 2: During the Crisis (Response)

Emergency Response: When a crisis actually occurs, those affected by it, require a speedy response to alleviate and minimise suffering and losses. In this phase, certain **'primary activities'** become indispensable. These are:

1. Evacuation
2. Search and rescue, followed by
3. Provision of basic needs, such as food, clothing, shelter, medicines, and other necessities essential for bringing the life of the affected community back to a degree of normalcy

12.3.3 Phase 3: Post Crisis (Recovery)

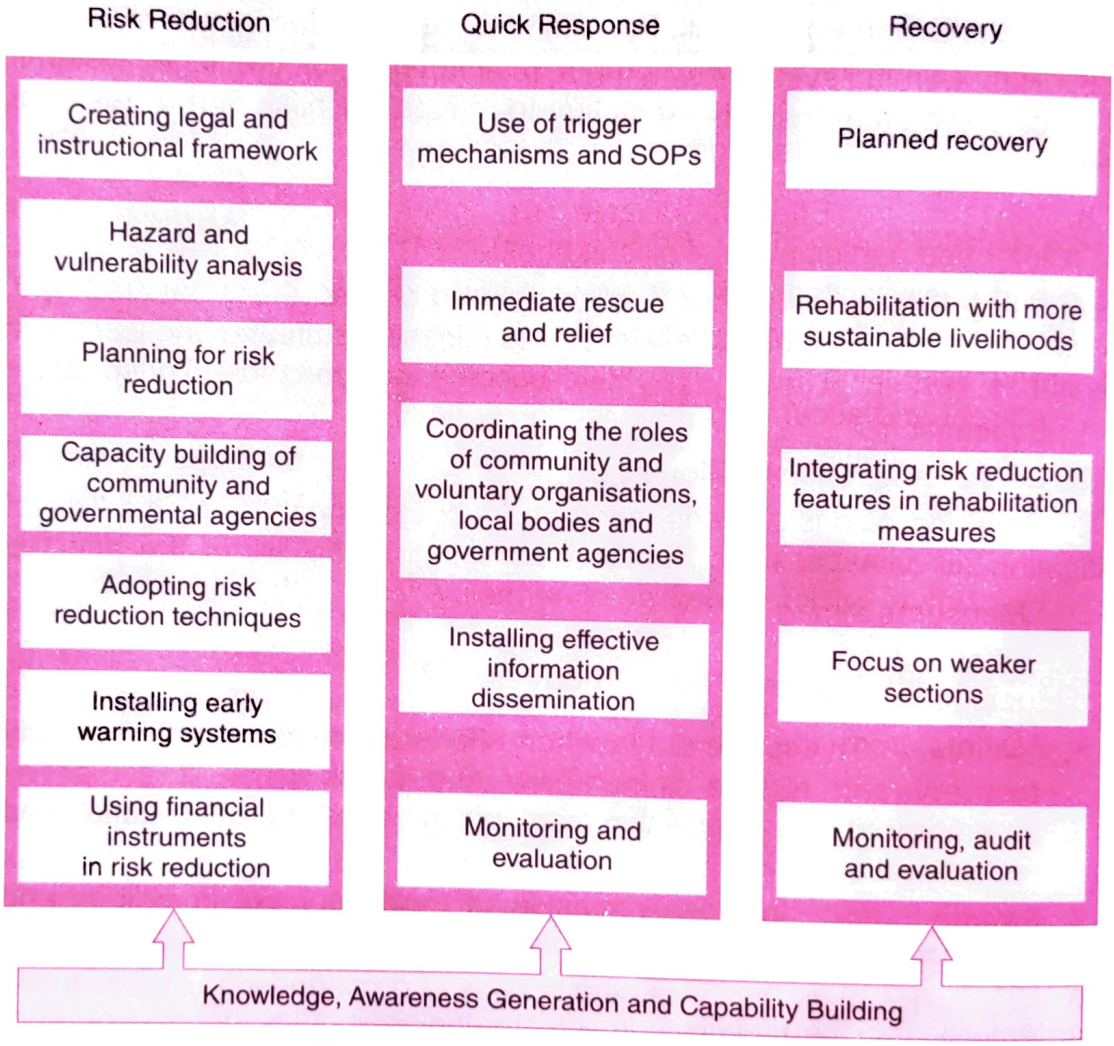
1. **Recovery:** This is the stage when efforts are made to achieve early recovery and reduce vulnerability and future risks. It comprises activities that encompass two overlapping phases of rehabilitation and reconstruction.
2. **Rehabilitation:** Includes provision of temporary public utilities and housing as interim measures to assist long-term recovery
3. **Reconstruction:** Includes construction of damaged infrastructure and habitats and enabling sustainable livelihoods

12.4 Elements of Disaster Management

We have described above the **three phases of disaster management**. The figure on the next page describes the various aspects of the three phases.

12.4.1 Risk Reduction (Enhancing Resilience)

Disaster risk reduction strategies have the potential to save thousands of lives by adoption of simple preventive measures. Lack of coherent disaster reduction strategies and the absence of a 'culture of prevention' are the major causes for increasing casualties due to disasters. Disaster risk reduction (disaster reduction) has been defined as the **'systematic development and application of policies, strategies and practices to minimise vulnerabilities, hazards and the unfolding of disaster impacts throughout a society, in the broad context of sustainable development'**.


Risk Reduction
Creating legal and instructional framework
Hazard and vulnerability analysis
Planning for risk reduction
Capacity building of community and governmental agencies
Adopting risk reduction techniques
Installing early warning systems
Using financial instruments in risk reduction
Quick Response
Use of trigger mechanisms and SOPs
Immediate rescue and relief
Coordinating the roles of community and voluntary organisations, local bodies and government agencies
Installing effective information dissemination
Monitoring and evaluation
Recovery
Planned recovery
Rehabilitation with more sustainable livelihoods
Integrating risk reduction features in rehabilitation measures
Focus on weaker sections
Monitoring, audit and evaluation
Knowledge, Awareness Generation and Capability Building

Elements of Disaster Management

Disaster reduction strategies include the appraisal of likelihood and intensity of hazards and analysis of vulnerabilities thereof to the community. Building of institutional capabilities and community preparedness is the next step. Crucial to all these efforts, however, is the existence of a **'safety culture'** in societies. Inputs like education, training and capacity building play a very significant role. It needs to be understood that such preparedness cannot be a 'one-time' effort, but is a continuous process.

Knowledge plays an important role in disaster reduction. The **traditional knowledge** available with the community has to be used along with knowledge acquired through research and past experiences.

The disaster risk reduction framework is composed of the following fields of action:

1. Policies towards risk management
2. Assessment of risk, including hazard analysis and vulnerability
3. Generating risk awareness with the help of mass media and social media
4. Preparation of plans for risk mitigation
5. Implementation of the plan
6. Early warning systems with the help of the latest technology relating to data capture transmission, analysis and even dissemination
7. Use of knowledge
8. **Information:** Effective disaster risk management depends on the informed participation of all stakeholders. The exchange of information and easily accessible communication practices play key roles. Data are crucial for ongoing research, national planning, monitoring hazards and assessing risks. The widespread and consistent availability of current and accurate data is fundamental to all the aspects of disaster risk reduction.

12.4.1.1 Mitigation

Mitigation involves:

- Measures aimed at **reducing the impact** of disasters
- Efforts to **prevent hazards from developing into disasters** altogether
- Differs from the other phases because it focuses on **long-term measures for reducing or eliminating risk**
- It embraces **actions taken in advance of a disaster** to reduce its effects on a community

Significance of Mitigation: A number of special programmes are in operation for mitigating the impact of natural disasters, and local communities have developed their own indigenous coping mechanisms. In the event of an emergency, the mobilisation of community action supported by non-governmental organisations (NGOs) adds strength to the national disaster management capacity.

Despite initiating various disaster mitigation measures, there has been a little improvement. Accordingly, India has taken initiatives for linking disaster mitigation with development plans, promoting the application of effective communication systems and information technology, insurance, extensive public awareness, and education campaigns (particularly in rural areas), involving the private sector and strengthening institutional mechanisms and international community cooperation.

12.4.2 Quick response

Quick response can save lives, protect property, and lessen disruptions caused by crises. This calls for a **total and effective response**, which must subsume the coordinated response of the entire governmental system as also the civil society. The response should not only incorporate traditional coping mechanisms, which have evolved over the centuries but also involve meticulous planning and coordination. Cumulative experience with crisis management over the years points to an urgent need for putting in place a holistic and effective response mechanism which is professional, result-oriented, innovative and people-centric.

Quick response entails the following:

- This phase includes the **mobilisation of necessary emergency services and first responders in the disaster area**. This is likely to include a first wave of core emergency services, such as firefighters, police and ambulance crews. They may be supported by a number of secondary emergency services, such as specialist rescue teams.
- It entails **restoring** physical facilities, **rehabilitation** of affected families/ populations, **restoration** of lost livelihoods and **reconstruction** efforts.
- Retrospectively, **it brings to light the flaws in policy and planning** with respect to infrastructure, its location, social scheme, etc.

12.4.2.1 Significance

The significance of quick response can be stated as under:

- It has an **immediate mitigation impact** and losses can be minimised to a greater degree. According to the estimate of the insurance industry, natural disasters represent eighty-five per cent insured catastrophe.
- Thousands of lives lost, and millions of people are left weakened each year due to reluctance on part of donors to invest in measures that **reduce the impact of disasters** (*World Disaster Report 2002*).
- **Long-term resilience** of vulnerable communities

12.4.2.2 Issues

The issues involved are:

- **Coordination among the actors** involved (government, civil society and international donor organisation). A recent example is the case of the Uttarakhand floods (June 2013) where international organisations found it hard to immediately get the government approval to start work.
- **Institutionalisation of disaster response structure** at the local level

12.4.3 Recovery

Recovery is an important phase.

- In the long-term aftermath of a disaster, when restoration efforts are in addition to regular services, it involves implementation of actions to promote **sustainable redevelopment (reconstruction, rehabilitation)**.
- It **differs from the response phase** in its focus; recovery efforts are concerned with issues and decisions that must be made after immediate needs are addressed. Recovery efforts are primarily concerned with actions that involve rebuilding destroyed property, re-employment and the repair of other essential infrastructure.
- The recovery phase **starts when the immediate threat to human life** has subsided. In the reconstruction, it is desirable to reconsider the location or construction material of the property.
- Community resilience is a key factor in disaster recovery.
- This phase encompasses three overlapping phases of 3 (Relief, Rehabilitation and Reconstruction)
  - **Relief:** It is the period immediately after the disaster when steps are taken to meet the need of survivors.
  - **Rehabilitation:** These are activities undertaken to support the victims' return to normalcy and reintegration in regular community function. It encompasses provision of temporary employment and restoration of livelihood.
  - **Reconstruction:** It is an attempt to return the communities to improved pre-disaster functioning.

12.5 Disaster Response in India

Over the centuries, local communities have developed their own indigenous survival mechanisms. This rich storehouse of knowledge is a part of our country's legacy. The ***Arthashastra*** (a treatise on public administration by Chanakya in the fourth century BC) devoted a section to mitigation measures to combat famines. **The community is usually the first responder in case of a disaster**. Field level response on behalf of the government in rural areas is provided by the nearest police station and the revenue functionary (**Patwari/ Patel/Talati/Karnam,** etc.); in urban areas, the response is articulated by agencies like the civic authorities, the fire brigade and the local police station. At present, the panchayats do not have the capacity to react institutionally in any effective manner to such situations, and it is the district administration which retains the basic responsibility of handling crises situations, with the collector playing a pivotal role.

India is fraught with challenges and unique opportunities for low-cost, disaster mitigation interventions that would add value to the existing

work carried out by the government organisations, NGOs and donors. Devolution and decentralisation have created new challenges for the sector, generating renewed scope for action at the grass-roots level where disaster preparedness and planning decisions are most effective. There is a vast pool of experienced organisational, technical and scientific resources and disaster-related information and knowledge within the region.

India has an **integrated administrative machinery** for disaster management at the national, state, district and sub-district levels. The Central Government supplements the state relief efforts by initiating supportive actions. An elaborate procedural mechanism and the allocation of resources to facilitate emergency management operations is outlined in relief manuals and codes backed by the **Contingency Action Plan (CAP)**. The CAP facilitates the relief operations, procedures and focal roles of Central Ministries and Departments. **The Crisis Management Group headed by the Cabinet Secretary and consisting of Nodal Ministries** (particularly the Ministry of Home Affairs and Agriculture) oversees response coordination, carries out an assessment and makes recommendations for assistance.

The State Governments have the responsibility to undertake rescue and relief measures in the event of a natural calamity through the State Relief Commissioner, Relief and Rehabilitation Department or the Department of Revenue. The District Coordination and Review Committee headed by the Collector involves the participation of related agencies, departments and NGOs.

12.5.1 Legal Framework

The Centre enacted the **National Disaster Management Act (NDMA), 2005 on 26 December 2005** to provide for institutional mechanism for drawing up and monitoring the implementation of disaster management plans, ensuring measures by various wings of the government for preventing and mitigating effects of disaster and for undertaking a holistic, coordinated and prompt response to any disaster situation.

12.5.2 National Disaster Management Act, 2005

The Act encompasses the following:

1. The Act calls for the establishment of the NDMA, with the **Prime Minister of India as the Chairperson**.
2. The Act under **Section 8** enjoins the Central Government to constitute a **National Executive Committee (NEC)** to assist the National Authority. The NEC is composed of secretary-level officers of the Government of India (GoI) in the Ministries of Home, Agriculture, Atomic Energy, Defence, Drinking Water Supply, Environment and Forests, Finance (expenditure), Health, Power, Rural Development, Science and Technology, Space, Telecommunications, Urban Development and

Water Resources, with the Home Secretary serving as the Chairperson, ex officio. The Chief of the Integrated Defence Staff of the Chiefs of Staff Committee is an ex officio member of the NEC. The NEC is responsible for the preparation of the **National Disaster Management Plan (NDMP)** for the whole country and to ensure that it is 'reviewed and updated annually'.

3. All the State Governments are mandated under **Section 14** of the Act to establish a **State Disaster Management Authority (SDMA)** The SDMA consists of the Chief Minister of the State, who is the Chairperson, and no more than eight members appointed by the Chief Minister. The **State Executive Committee (SEC)** is responsible for drawing up the **State Disaster Management Plan** and implementing the **National Plan** The SDMA is mandated to ensure that all the departments of the State prepare disaster management plans as prescribed by the National and State Authorities.
4. The Act directs to establish **District Disaster Management Authority (DDMA)** The **Chairperson of the DDMA will be the Collector or the District Magistrate or the Deputy Commissioner** of the district. The elected representative of the area is a member of the DDMA as an ex officio Chairperson. The district authority shall act as the planning, coordinating and implementing body for disaster management in the district and take all measures for the purposes of disaster management in the district in accordance with the guidelines laid down by the National and State Authorities.
5. The Act provides for the constituting a **National Disaster Response Force (NDRF)** 'for the purpose of specialist response to a threatening disaster situation or disaster' under the **Director General** to be appointed by the Central Government.
6. The Act contains provision for constitution of **National Disaster Response Fund** and **National Disaster Mitigation Fund** and similar funds at the state and the district levels.
7. The Act also provides for specific roles to local bodies, including **Panchayati Raj Institutions (PRIs)** and **Urban Local Bodies (ULBs)** in disaster management.

   At the **district level** the DMA 2005 provides for the constitution of DDMAs under the chairmanship of the District Magistrate/Collector while the elected representative of the local authority would be the co-chairperson. In those districts where Zilla Parishads exist, the chairman would be the ex officio co-chairperson of the DDMA.
8. The planning process has been carried down to the sub-divisional, block and village levels. Each village in multi-hazard prone district will have a Disaster Management Plan. The **Disaster Management Committee** which draws up the plans consists of elected representatives at the village level, local authorities, government functionaries, including

doctors/paramedics of primary health centres located in the village, primary school teachers, etc.

The plan encompasses prevention, mitigation and preparedness measures. The **Disaster Management Teams** at the village level consist of members of youth organisations like Nehru Yuvak Kendra and other NGOs as well as volunteers from the village. The teams are provided a basic training in evacuation, search and rescue, first-aid trauma counselling, etc. The disaster management committee will review the disaster management plan at least once in a year. It would also generate awareness among the people in the village about the do's and don'ts for specific hazards depending on the vulnerability of the village. A large number of village level disaster management committees and disaster management teams have already been constituted.

Initially, the Act was criticised for marginalising NGOs, elected local representatives, local communities and civic groups; and for fostering a hierarchical, bureaucratic, command and control, **'top-down' approach** that gives the central, state and district authorities sweeping powers. But overall, the disaster response has improved to a large extent after the slow and steady implementation of the NDMA.

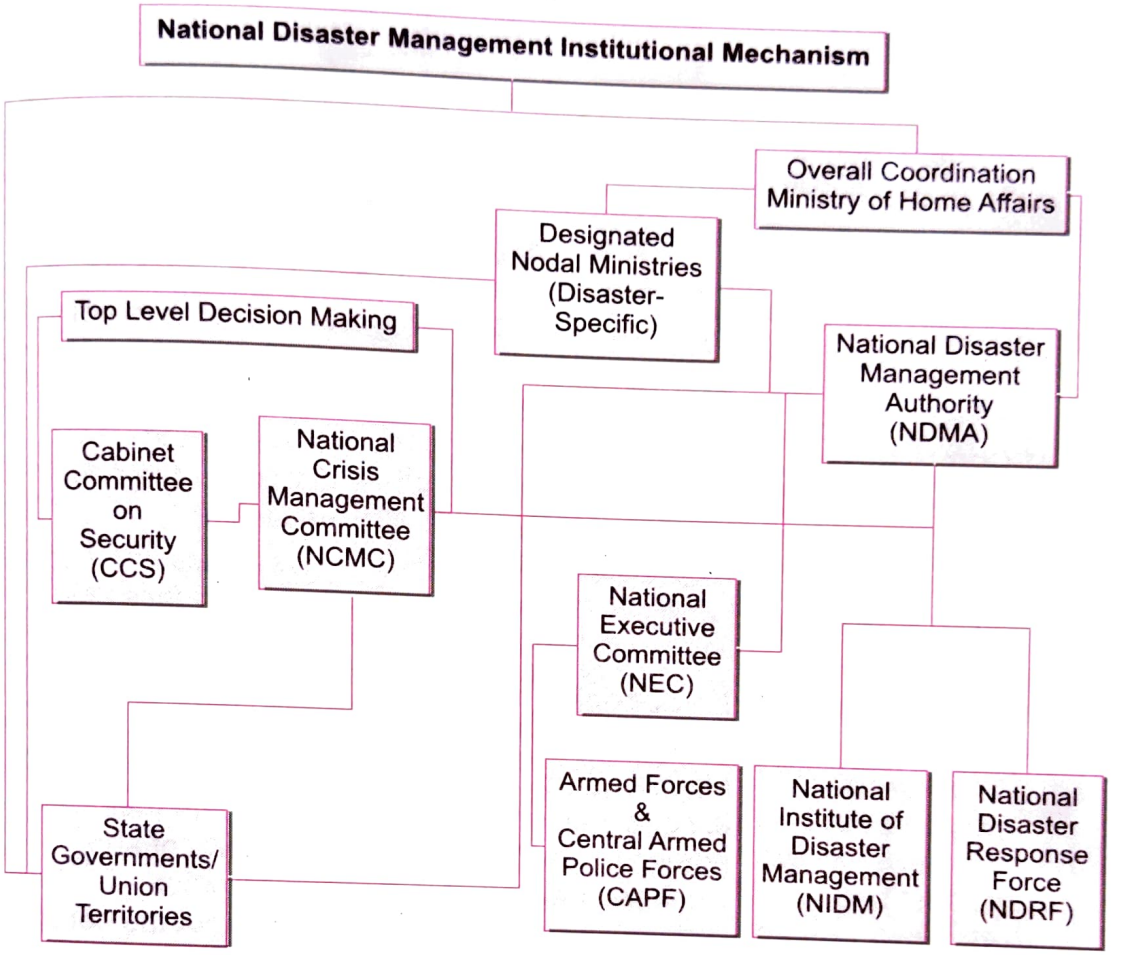
12.6 Institutional Framework

12.6.1 National Level

The overall coordination of disaster management vests with the Ministry of Home Affairs (MHA). The **Cabinet Committee on Security (CCS)** and the **National Crisis Management Committee (NCMC)** are the key committees involved in the top-level, decision-making with regard to disaster management. The NDMA is the lead agency responsible for the preparation DM plans and the execution of DM functions at the national level. The flowchart on the next page provides a schematic view of the basic institutional structure for DM at the national level. The figure represents merely the institutional pathways for coordination, decision-making and communication for disaster management and does not imply any chain of command.

In most cases, the state governments will be carrying out disaster management with the Central Government playing a supporting role. The central agencies will participate only on the request from the State Government. Within each state, there is a separate institutional framework for disaster management at the state level. The DMA of 2005 provides for the setting up of the NDMA at the national level, and, the SDMA at the state level. The role, composition and the role of the key decision-making bodies for disaster management at national level are briefly described in Table 12.1. The extent of involvement of central agencies will depend on the type, scale, and administrative spread of the disaster. If the situation requires the

direct assistance from the Central Government or the deployment of central agencies, the Centre will provide all necessary support irrespective of the classification of the disaster (L1 to L3).


National Disaster Management Institutional Mechanism
Overall Coordination Ministry of Home Affairs
Designated Nodal Ministries (Disaster-Specific)
Top Level Decision Making
National Disaster Management Authority (NDMA)
Cabinet Committee on Security (CCS)
National Crisis Management Committee (NCMC)
National Executive Committee (NEC)
Armed Forces & Central Armed Police Forces (CAPF)
National Institute of Disaster Management (NIDM)
National Disaster Response Force (NDRF)
State Governments/ Union Territories

National-level disaster management – basic institutional framework

Table 12.1 Key National-level, Decision-making Bodies for Disaster Management

S.No.	Name	Composition	Vital role
1	**Cabinet Committee on Security (CCS)**	Prime Minister, Minister of Defence, Minister of Finance, Minister of Home Affairs and Minister of External Affairs	■ Evaluation from a national security perspective, if an incident has potential security implications ■ Oversee all aspects of preparedness, mitigation and management of Chemical, Biological, Radiological and Nuclear (CBRN) emergencies and of disasters with security implications

S.No.	Name	Composition	Vital role
			■ Review risks of CBRN emergencies from time to time, giving directions for measures considered necessary for disaster prevention, mitigation, preparedness and effective response
2	National Crisis Management Committee (NCMC)	■ Cabinet Secretary (Chairperson) ■ Secretaries of Ministries/ Departments and agencies with specific DM responsibilities	■ Oversee the command, control and coordination of the disaster response ■ Give direction to the Crisis Management Group as deemed necessary ■ Give direction for specific actions to face crisis situations
3	National Disaster Management Authority (NDMA)	■ Prime Minister (Chairperson) ■ Members (not exceeding nine; nominated by the Chairperson)	■ Lay down policies, plans and guidelines for disaster management ■ Coordinate their enforcement and implementation throughout the country ■ Approve the NDMP and the DM plans of the respective ministries and departments of the GoI ■ Lay down guidelines for disaster management to be followed by the different Central Ministries, departments and the State Governments

S.No.	Name	Composition	Vital role
4	National Executive Committee (NEC)	■ Union Home Secretary (Chairperson) ■ Secretaries to the GoI in the Ministries/ Departments of Agriculture, Atomic Energy, Defence, Drinking Water and Sanitation, Environment, Forests and Climate Change Finance (Expenditure), Health and Family Welfare, Power, Rural Development, Science and Technology, Space, Telecommunications, Urban Development, Water Resources, River Development and Ganga Rejuvenation	■ To assist the NDMA in the discharge of its functions ■ Preparation of the National Plan ■ Coordinate and monitor the implementation of the National Policy ■ Monitor the implementation of the National Plan and the plans prepared by the Ministries or Departments of the GoI ■ Direct any department or agency of the Centre to make available to the NDMA or SDMAs such men, material or resources as are available with it for the purpose of emergency response, rescue and relief ■ Ensure compliance of the directions issued by the Central Government ■ Coordinate response in the event of any threatening disaster situation or disaster ■ Direct the relevant Ministries/Departments of the GoI, the State Governments and the SDMAs regarding measures to be taken in response to any specific threatening disaster situation or disaster

S.No.	Name	Composition	Vital role
		■ The Chief of the Integrated Defence Staff of the Chiefs of Staff Committee, ex officio as members ■ Secretaries in the Ministry of External Affairs, Earth Sciences, Human Resource Development, Mines, Shipping, Road Transport and Highways and Secretary, NDMA are special invitees to the meetings of the NEC	■ Coordinate with relevant Central Ministries/ Departments/Agencies which are expected to provide assistance to the affected State as per Standard Operating Procedures (SOPs) ■ Coordinate with the Armed Forces, Central Armed Police Forces (CAPF), the National Disaster Response Force (NDRF) and other uniformed services which comprise the GoI's response to aid the State authorities ■ Coordinate with the India Meteorological Department (IMD) and a number of other specialised scientific institutions which constitute key early warning and monitoring agencies ■ Coordinate with, Civil Defence volunteers, home guards and fire services, through the relevant administrative departments of the State Governments
5	National Disaster Response Force (NDRF)	Specially trained force headed by a Director General Structured like paramilitary forces for rapid deployment	Provide assistance to the relevant State Government/ District Administration in the event of an imminent hazard event or in its aftermath

S.No.	Name	Composition	Vital role
6	National Institute of Disaster Management (NIDM)	Union Home Minister; Vice Chairman, NDMA; Members including secretaries of various nodal Ministries and Departments of Government of India and State Governments and heads of national levels scientific, research and technical organisations, besides eminent scholars, scientists and practitioners	■ Human resource development and capacity building for disaster management within the broad policies and guidelines laid down by the NDMA ■ Design, develop and implement training programmes ■ Undertake research ■ Formulate and implement a comprehensive human resource development plan ■ Provide assistance in National Policy formulation, assist other research and training institutes, State Governments and other organisations for successfully discharging their responsibilities ■ Develop educational materials for dissemination ■ Promote awareness generation

From time to time, the Centre notifies hazard-specific nodal ministries to function as the lead agency in managing particular types of disasters (see Table 12.2 for current list of disaster-specific nodal ministries notified by the Government of India).

Table 12.2 Nodal Ministry for Management/Mitigation of Different Disasters

S.No.	Disaster	Nodal Ministry/Department
1	Biological	Ministry of Health and Family Welfare (MoHFW)
2	Chemical and Industrial	Ministry of Environment, Forests and Climate Change (MoEFCC)
3	Civil Aviation Accidents	Ministry of Civil Aviation (MoCA)

S.No.	Disaster	Nodal Ministry/Department
4	Cyclone/Tornado	Ministry of Earth Sciences (MoES)
5	Tsunami	Ministry of Earth Sciences (MoES)
6	Drought/Hailstorm/Cold Wave and Frost/Pest Attack	Ministry of Agriculture and Farmers Welfare (MoAFW)
7	Earthquake	Ministry of Earth Sciences (MoES)
8	Flood	Ministry of Water Resources (MoWR)
9	Forest Fire	Ministry of Environment, Forests, and Climate Change (MoEFCC)
10	Landslides	Ministry of Mines (MoM)
11	Avalanche	Ministry of Defence (MoD)
12	Nuclear and Radiological Emergencies	Department of Atomic Energy (DAE)
13	Rail Accidents	Ministry of Railways (MoR)
14	Road Accidents	Ministry of Road Transport and Highways (MoRTH)
15	Urban Floods	Ministry of Urban Development (MoUD)

12.6.2 National Disaster Management Authority

The GoI **established the NDMA in 2005 is headed by the Prime Minister**. Under the DMA 2005, the NDMA, as the **apex body for disaster management**, will have the responsibility for laying down the policies, plans and guidelines for disaster management for ensuring timely and effective response to disaster. The guidelines of the NDMA will assist the Central Ministries, Departments and States to formulate their respective DM plans. It will approve the NDMPs and DM plans of the Central Ministries/Departments. It will take such other measures, as it may consider necessary, for the prevention of disasters, or mitigation, or preparedness and capacity building, for dealing with a threatening disaster situation or disaster. Central Ministries/ Departments and State Governments will extend necessary cooperation and assistance to the NDMA for carrying out its mandate. It will oversee the provision and application of funds for mitigation and preparedness measures.

The NDMA has the power to authorise the departments or authorities concerned, to make emergency procurement of provisions or materials for rescue and relief in a threatening disaster situation or disaster. The general superintendence, direction and control of the **NDRF** is vested in and will be exercised by the NDMA. The National Institute of Disaster Management

(NIDM) works within the framework of broad policies and guidelines laid down by the NDMA. The NDMA has the mandate to deal with all types of disasters – natural or human-induced. However, other emergencies such as terrorism (counter-insurgency), law and order situations, hijacking, air accidents, CBRN weapon systems, which require the close involvement of the security forces and/ or intelligence agencies, and other incidents such as mine disasters, port and harbour emergencies, forest fires, oilfield fires and oil spills will be handled by the NCMC. Nevertheless, the NDMA may formulate guidelines and facilitate training and preparedness activities in respect to CBRN emergencies.

12.6.3 National Institute of Disaster Management

As per the provisions of the Chapter-VII of the DMA, the GoI constituted the National Institute of Disaster Management (NIDM) under an Act of Parliament with the goal of being the premier institute for capacity development for disaster management in India and the region. The vision of the NIDM is to create a Disaster Resilient India by building the capacity at all levels for disaster prevention and preparedness. The NIDM has been assigned nodal responsibilities for human resource development, capacity building, training, research, documentation and policy advocacy in the field of disaster management. The NIDM has built strategic partnerships with various ministries and departments of the central, state and local governments, academic, research and technical organisations in India and abroad and other bi-lateral and multi-lateral international agencies. It provides technical support to the State Governments through the Disaster Management Centres (DMCs) in the Administrative Training Institutes (ATIs) of the states and union territories. Presently, it is supporting as many as 30 such centres. Six of them are being developed as Centres of Excellence in the specialised areas of risk management – flood, earthquake, cyclone, drought, landslides and industrial disasters.

12.6.4 National Disaster Response Force

The NDRF has been constituted as per the Chapter-VIII of the DMA 2005 as a specialist response force that can be deployed in a threatening disaster situation or disaster. As per the DMA, the general superintendence, direction and control of the NDRF will be vested and exercised by the NDMA. The command and supervision of the NDRF shall vest with the Director General appointed by the GoI. The NDRF will position its battalions at different locations as required for effective response. NDRF units will maintain a close liaison with the designated State Governments and will be available to them in the event of any serious threatening disaster situation.

The NDRF is equipped and trained to respond to situations arising out of natural disasters and CBRN emergencies. The NDRF units will also impart basic training to all the stakeholders identified by the State

Governments in their respective locations. Further, a national academy will be set up to provide training for the trainers in disaster management and to meet related national and international commitments. A previous experience in major disasters has clearly shown the need for pre-positioning of some response forces to augment the resources at the state level at crucial locations including some in high-altitude regions.

12.6.5 State Level

As per the DMA of 2005, each state in India will have its own institutional framework for disaster management. Among other things, the DMA, mandates that each State Government will take necessary steps for the preparation of State DM plans, integration of measures for prevention of disasters or mitigation into state development plans, allocation of funds and establish an EWS. Depending on specific situations and needs, the State Government will also assist the Central Government and central agencies in various aspects of DM. Each state will prepare its own **State Disaster Management Plan.**

The DMA mandates the setting of an SDMA with the Chief Minister as the ex officio Chairperson. Similar system will function in each Union Territory with the Lieutenant Governor as the Chairperson. At the district level, the DDMA, the District Collector or District Magistrate or the Deputy Commissioner, as applicable, will be responsible for an overall coordination of the disaster management efforts and planning. Detailed DMP will be developed, subject to periodic review and revision, at the levels of state, district, towns and blocks (*taluka*).

12.6.6 State Disaster Management Authority

As per the provisions in **Chapter-III of the DMA**, each State Government will establish a State Disaster Management Authority (SDMA) or its equivalent under a different name with the **Chief Minister as the Chairperson**. In case of other **UTs, the Lieutenant Governor or the Administrator shall be the Chairperson** of that Authority. For the UT of Delhi, the Lieutenant Governor and the Chief Minister shall be the Chairperson and Vice-Chairperson, respectively of the State Authority. In the case of a UT having Legislative Assembly, except the UT of Delhi, the Chief Minister shall be the Chairperson of the Authority established under this section.

The SDMA will lay down policies and plans for DM in the State. It will, inter alia, approve the State Plan in accordance with the guidelines laid down by the NDMA, coordinate the implementation of the State Plan, recommend provision of funds for mitigation and preparedness measures and review the developmental plans of the different departments of the state to ensure the integration of prevention, preparedness and mitigation measures. The State Government will constitute an SEC to assist the SDMA in the performance

of its functions. The SEC will be headed by the Chief Secretary to the State Government. The SEC will coordinate and monitor the implementation of the National Policy, the National Plan and the State Plan. The SEC will also provide information to the NDMA relating to different aspects of DM.

12.6.7 District Disaster Management Authority

As per the provisions in Chapter-IV of the DMA, each state government shall establish a DDMA for every district in the state with such name as may be specified in that notification. The DDMA will be headed by the District Collector, Deputy Commissioner or District Magistrate as the case may be with the elected representative of the local authority as the Co-Chairperson. The state government will appoint an officer not below the rank of Additional Collector or Additional District Magistrate or Additional Deputy Commissioner, as the case may be, of the district to be the Chief Executive Officer of the District Authority.

The DDMA will act as the planning, coordinating and implementing body for DM at the district level and take all necessary measures for the purposes of DM in accordance with the guidelines laid down by the NDMA and SDMA. It will, inter alia, prepare the DM plan for the district and monitor the implementation of all relevant national, state and district policies and plans. The DDMA will also ensure that the guidelines for prevention, mitigation, preparedness and response measures laid down by the NDMA and the SDMA are followed by all the district-level offices of the various departments of the State Government.

12.7 National Disaster Management Plan

The Disaster Management Act, 2005 (DMA 2005) lays down an institutional and coordination mechanism for Effective Disaster Management (DM) at the national, state, district and local levels. As mandated by this Act, the GoI created a multi-tiered institutional system consisting of the National Disaster Management Authority (NDMA) headed by the Prime Minister, the SDMAs headed by the respective Chief Ministers and the DDMAs headed by the District Collectors and co-chaired by Chairpersons of the local bodies. These bodies have been set up to facilitate a paradigm shift from the hitherto relief-centric approach to a more proactive, holistic and integrated approach of strengthening disaster preparedness, mitigation and emergency response.

The National Disaster Management Plan (NDMP) provides a framework and direction to the government agencies for all phases of disaster management cycle. The NDMP is a 'dynamic document' in the sense that it will be periodically improved keeping up with the emerging global best practices and knowledge base in disaster management. It is in accordance

with the provisions of the Disaster Management Act, 2005, the guidance given in the **National Policy on Disaster Management, 2009 (NPDM)** and the established national practices.

The NDMP recognises the need to minimise, if not eliminate, any ambiguity in the responsibility framework. It, therefore, specifies who is responsible for what at different stages of managing disasters. The NDMP is envisaged as ready for activation at all times in response to an emergency in any part of the country. It is designed in such a way that it can be implemented as needed on a flexible and scalable manner in all phases of disaster management:

1. mitigation (prevention and risk reduction),
2. preparedness,
3. response and
4. recovery (immediate restoration to build back better).

The NDMP is consistent with the approaches promoted globally by the United Nations, in particular **the Sendai Framework for Disaster Risk Reduction 2015–2030**. It is a non-binding agreement, which the signatory nations will attempt to comply with on a voluntary basis. India will make all efforts to contribute to the realisation of the global targets by improving the entire disaster management cycle in India by following the recommendations in the Sendai Framework and adopting globally accepted best practices. **The four priorities for action under the Sendai Framework are**:

1. Understanding disaster risk
2. Strengthening disaster risk governance to manage disaster risk
3. Investing in disaster risk reduction for resilience
4. Enhancing disaster preparedness for effective response and to **'build back better' (BBB)** in recovery, rehabilitation and reconstruction

The NDMP incorporates substantively the approach enunciated in the **Sendai Framework** and will help the country to meet the goals set in the framework. By 2030, the Sendai Framework aims to achieve a substantial reduction of disaster risk and loss of lives, livelihoods and health and in the economic, physical, social, cultural and environmental assets of persons, businesses, communities and countries. The NDMP has been aligned broadly with the goals and priorities set out in the Sendai Framework for the DRR. The plan includes measures that will be implemented over the short, medium and long term more or less over the time horizon of the Sendai Framework ending in 2030.

12.7.1 Vision

Make India disaster resilient, achieve substantial disaster risk reduction and significantly decrease the loss of lives, livelihoods and assets – economic, physical, social, cultural and environmental – by maximising the ability to cope with disasters at all levels of administration as well as among communities.

12.7.2 Multi-hazard Vulnerability

India, due to its physiographic and climatic conditions, is one of the most disaster-prone areas of the world. Vulnerability to disasters/emergencies of CBRN origin also exists. Heightened vulnerabilities to disaster risks can be related to increasing population, urbanisation, industrialisation, development within high-risk zones, environmental degradation and climate change.

The DMA of 2005 and DM Policy of 2009 consider disasters to be natural or human-induced for defining the roles and responsibilities. The human-induced category includes CBRN disasters. Besides, with the natural factors discussed earlier, various human-induced activities are also responsible for an accelerated impact and increase in the frequency of disasters in the country. The NDMP covers disaster management cycle for all types of hazards faced in India – both natural and human-induced

12.7.3 Reducing Risk; Enhancing Resilience

The role of the central agencies is to support the disaster-affected State or UT in response to requests for assistance. However, the central agencies will play a proactive role in disaster situations. In the domains of DM planning, preparedness and capacity building, the central agencies will constantly work to upgrade Indian DM systems and practices as per the global trends.

For each hazard, the approach used in this national plan incorporates the four priorities enunciated in the Sendai Framework into the planning framework for Disaster Risk Reduction under the five Thematic Areas for Action:

1. Understanding risk
2. Inter-agency coordination
3. Investing in DRR – structural measures
4. Investing in DRR – non-structural measures
5. Capacity development

For each thematic area for action, the NDMP has identified a set of major themes for undertaking actions within the broad planning framework. For each hazard, themes for action are presented in a separate responsibility matrix assigning roles of Centre and State for each of the thematic areas for action. The activities envisaged in the NDMP and the Sendai Framework fall into:

1. short/immediate (within five years),
2. medium (within ten years) and
3. long-term (within fifteen years) categories, which will be implemented in many instances concurrently, and not necessarily sequentially.

12.7.4 Responses

Responses are the measures taken immediately after receiving an early warning, anticipating an impending disaster or post-disaster in cases where an event occurs without warning. The **primary goal of response to a disaster** is saving lives, protecting property and environment and meeting basic needs of human and other living beings after the disaster. The immediate focus will be on search and rescue of those affected and to evacuate those likely to be affected by the disaster or secondary disaster that is likely to happen. In the section on response, roles, functions and responsibilities of ministries and agencies that have a key the role to play are described. Since the contexts, knowledge base and technologies change, the DM plans must be updated periodically to reflect any changes in the key roles envisaged to particular ministries or agencies.

At the national level, the central government has assigned nodal responsibilities to specific ministries for coordinating disaster-specific responses. The NDMA will be coordinating with the relevant nodal ministry. The disaster-specific nodal ministry will ensure liaison with the State Government where the disaster has occurred and coordination among various relevant ministries and departments to provide quick and efficient response. The State Government will activate the **Incident Response Teams (IRTs)** at state, district or block level, as required. The IRTs will coordinate with the state EOC. The SDMA (or its equivalent, CoR or Department of Revenue) will provide technical support to the response.

Different Central Ministries and departments will provide an emergency support to the response effort as per request from the State Government. It may be noted that the SDMA, Department of Revenue or Commissioner of Relief (as applicable) is the nodal agency for coordination of disaster response. The various agencies whose responsibilities are defined in detailed DM plans for the state and district will be responsible for specific response measures. **The DDMA is the nodal agency for coordination of response at the district level supported by other district level agencies**.

12.7.5 Recovery and Build Back Better

Globally, the approach towards post-disaster restoration and rehabilitation has shifted to one of betterment reconstruction. While disasters result in considerable disruption of normal life; enormous suffering, loss of lives and property, global efforts consider the recovery, rehabilitation and reconstruction phase as an opportunity to **Build Back Better (BBB)** integrating disaster risk reduction into development measures and making communities resilient to disasters.

BBB is not limited to the built environment and has a wide applicability encompassing the economy, societal systems, institutions and environment. The **Sendai Framework** envisages that the stakeholders will be prepared for

BBB after a disaster. Existing mechanisms may require strengthening in order to provide an effective support and achieve better implementation. Disaster recovery tends to be very difficult and long-drawn-out. The reconstruction will vary depending on the actual disaster, location, pre-disaster conditions and the potentialities that emerge at that point of time. The NDMP provides a generalised framework for recovery since it is not possible to anticipate all the possible elements of betterment reconstruction in Table 12.3.

Table 12.3 Major Steps of the Recovery Process and the Key Processes Involved

S.No.	Major steps	Process
1	Post-disaster needs assessment and credible damage assessment	■ Preliminary assessment reports ■ Compilation and transmittal of damage and loss data ■ Disaster damage assessments led by the government and assisted by humanitarian response agencies, and the initial damage surveys leading to a comprehensive assessment ■ Quantitative and qualitative baseline for damage, loss and needs across sectors, blocks (taluk) and districts ■ Results monitoring and evaluation plan for recovery programme ■ Select the most appropriate and achievable processes and methodology for conducting early and credible damage and needs assessments
2	Build Back Better (BBB)	■ High-level meetings as well as broad-based, wider vision for build-consultations with experts, civil society, and key stakeholders ■ Build consensus among the range of stakeholders within and outside government
3	Ensure coherence of BBB with the development programmes and goals	■ Discussions at top-level to align the recovery vision with the government's broader; longer-term development goals and growth and poverty reduction strategies

S.No.	Major steps	Process
4	Incorporating resilience and BBB in recovery vision	Consultations and background studies on: ■ Disaster-resistant physical recovery ■ Options for fast economic recovery ■ Gender and equity concerns ■ Vulnerability reduction ■ Natural resource conservation and environmental protection ■ Social recovery
5	Balancing recovery across sectors	■ Balance public and private sectors BBB programmes ■ Promote norms for non-discriminatory and equitable asset disbursement among individuals and communities ■ Prioritise infrastructure reconstruction ■ Address the recovery of the lives and livelihoods of disaster-affected communities ■ Show sensitivity to the needs of the affected population with regard to public expectations from recovery
6	Prioritising sectors for recovery	Determine relative importance of various sectors such as housing, water and sanitation, governance, transport, power, communications, infrastructure, environment, livelihoods, tourism, social protection, health and education

12.7.6 Capacity Development

Capacity development covers the strengthening of institutions, mechanisms **and capacities of all stakeholders at all levels.** The plan recognises the need for a strategic approach to capacity development and the need for enthusiastic participation of various stakeholders to make it effective. The plan addresses the challenge of putting in place appropriate institutional framework, management systems and allocation of resources for efficient prevention and handling of disasters.

The planning needs of capacity development are described for all the **four aspects of disaster management** (Table 12.4):

1. Prevention or mitigation to reduce risk from hazards
2. Preparedness for response
3. Effective response when disaster occurs
4. Ability to recover and build back better

Table 12.4 Summary of Broad Capacity Development Themes

Capacity Development Themes	
Key Aspect	**Thematic Areas**
Prevention or mitigation for disaster risk reduction	■ Assessing hazards, risk and vulnerability ■ Developing human resource ■ Strengthening institutions ■ Launching demonstration projects ■ Safety education in educational institutions ■ Improving the awareness and preparedness of stakeholders at all levels ■ Documenting lessons from previous disasters and ensuring their wide dissemination ■ Preparing DM plans, regular updating and mock drills ■ Institutional arrangements, policies, legal support and regulatory framework ■ Developing appropriate risk transfer instruments by collaborating with insurance companies and financial institutions ■ Strengthening the early warning systems ■ Mainstreaming of disaster risk assessment, mapping and management into development plans and programmes ■ Revising building codes and standards for rehabilitation reconstruction practices both for urban and rural areas ■ Retrofitting techniques ■ Rapid visual surveys for safety evaluation of buildings ■ Training and skill development for masons and other artisans ■ Reinforcing systems to implement, monitor and enforce regulations for DRR to promote disaster-resistant built environment ■ Promoting community-based DM taking into account-specific needs, regional diversities, and multi-hazard vulnerabilities ■ Designing and implementing social safety-net mechanisms, including community-based systems ■ Disaster resilience of healthcare systems by integrating disaster risk management into primary, secondary and tertiary health care

Capacity Development Themes	
Key Aspect	**Thematic Areas**
	■ Business resilience and protection of livelihoods and productive assets throughout the supply chains; ensure continuity of services and integrate disaster risk management into business models and practices ■ Preparedness and response plans at all levels ■ Community-based DRR and DM
Effective preparedness and response	■ Emergency response capabilities – EOCs, infrastructure, equipment upgrades and adoption of best available technologies ■ Strengthening of the Fire and Emergency Service through revamping, institutional reforms and modernisation ■ Adopting and adapting emerging global good practices ■ Rigorous training and HRD of first responders ■ Early warnings, maps/ satellite data/ effective dissemination of information ■ Table-top exercises, simulations and mock drills to improve operational readiness of the plans ■ Rescue equipment at all levels ■ Systems to provide basic services in emergencies ■ Housing and temporary shelters ■ Medical care for casualties, health care and sanitation ■ Power and fuel supply management ■ Transportation systems and network ■ Logistics and supply chain management ■ Media relations ■ Managing the dead, disposal of animal carcasses and debris ■ Collecting and managing data ■ Legal services/support
Recovery and Build Back Better (BBB)	■ Post-disaster needs assessment systems and expertise ■ Credible damage assessment mechanisms and expertise ■ Planning capabilities to ensuring coherence of BBB with overall development efforts and goals ■ Studies and research for incorporating resilience into BBB models ■ Studies on past disasters and recovery to draw useful lessons

12.7.7 Financial Arrangements

The financing of disaster relief has been an important aspect of federal fiscal relations. The primary responsibility for undertaking rescue, relief and rehabilitation measures during a disaster lies with the State Governments. The Union Government supplements their efforts through logistic and financial support. **The DMA 2005 provides the legal framework for disaster management and all related matters, including the financial aspects**. The Act envisages the constitution of two types of funds: response and mitigation, which are to be set up at the national, state and district levels.

Thus, for disaster response, the Act envisages a National Disaster Response Fund, a State Disaster Response Fund in each state and, within the states, a District Disaster Response Fund in each district. Similarly, the Act envisages a National Disaster Mitigation Fund, State Disaster Mitigation Fund and District Disaster Mitigation Fund for disaster mitigation. **Section 47 of the DMA 2005** pertaining to setting up of the National Disaster Mitigation Fund, has not been notified by the Government so far. The financing of the entire disaster management cycle will be as per the norms set by the GoI. The disaster risk reduction will be achieved by mainstreaming the requirements into the developmental plans.

12.7.8 Scope

As per the DMA 2005, the **National Plan shall include**:

1. Measures to be taken for the **prevention of disasters or the mitigation of their effects**
2. Measures to be taken for the **integration of mitigation measures** in the development plans
3. Measures to be taken for **preparedness and capacity building** to effectively respond to any threatening disaster situations or disaster
4. **Roles and responsibilities of different Ministries or Departments** of the Centre in respect of measures of the three aspects mentioned above.

12.7.9 Objectives

Along with the mandate given in the **DMA 2005** and the **NPDM 2009**, the national plan has incorporated the national commitment towards the Sendai Framework. Accordingly, the **broad objectives of the NDMP are to**:

1. **Improve the understanding** of disaster risk, hazards and vulnerabilities
2. **Strengthen disaster risk governance** at all levels from local to centre

3. **Invest in disaster risk reduction** for resilience through structural, non-structural and financial measures, as well as comprehensive capacity development
4. **Enhance disaster preparedness** for an effective response
5. **Promote 'Build Back Better'** in recovery, rehabilitation and reconstruction
6. **Prevent disasters and achieve substantial reduction** of disaster risk and loss in lives, livelihoods, health and assets (economic, physical, social, cultural and environmental)
7. **Increase resilience and prevent the emergence** of new disaster risks and reduce the existing risks
8. **Promote the implementation** of integrated and inclusive economic, structural, legal, social, health, cultural, educational, environmental, technological, political and institutional measures to prevent and reduce hazard exposure and vulnerabilities to disaster
9. **Empower both local authorities and communities** as partners to reduce and manage disaster risks
10. **Strengthen scientific and technical capabilities** in all aspects of disaster management
11. **Develop capacity** at all levels to effectively respond to multiple hazards and for community-based disaster management
12. **Provide clarity on roles and responsibilities** of various ministries and departments involved in different aspects of disaster management
13. **Promote the culture of disaster risk prevention and mitigation** at all levels
14. **Facilitate the mainstreaming** of disaster management concerns into the developmental planning and processes

12.7.10 Plan Activation

The NDMP remains in operation during **all phases of a disaster cycle, i.e., mitigation, preparedness, response and recovery**. However, the NEC may activate a disaster response system (partially or fully with all support functions activated based on the situation) on the receipt of disaster warning or upon the occurrence of a disaster. The occurrence of disaster may be reported by the relevant monitoring authorities (both national and state) to the NEC by the fastest means.

The NEC will activate emergency support functions including the NEC, scale of which will commensurate with the demand of situation (size, urgency and intensity of incident).

The activation sequence for national response in the event of a disaster is as given below :

1. The relevant **State Government** would assume a direct responsibility in the event of a disaster.

2. The MHA would assume a direct responsibility in the case of Union Territories.
3. The response from the central agencies would come into operation when the relevant State Government makes a specific request for Central assistance, financial, logistical or resources – including transport, search, rescue and relief operations by air, inter-state movement of relief materials, among others.
4. The direct involvement of the central agencies will apply to those cases where the GoI has primary jurisdiction: organisation of international assistance, response on high seas and impact assessment of disasters with the assistance of international agencies and financial assistance from the National Disaster Response Fund.
5. Strengthening disaster risk governance

12.8 Sendai Framework

The NDMP is consistent with the approaches promoted globally by the United Nations, in particular the Sendai Framework for Disaster Risk Reduction 2015–2030 (hereafter, 'Sendai Framework') adopted at the Third UN World Conference in Sendai, Japan, on 18 March 2015 (UNISDR 2015) as the successor instrument to the Hyogo Framework for Action 2005–2015. It is a non-binding agreement, which the signatory nations, including India, will attempt to comply with on a voluntary basis. India will make all the efforts to contribute to the realisation of the global targets by improving the entire disaster management cycle in India by following the recommendations in the Sendai Framework and by adopting globally accepted best practices.

The Sendai Framework was the first international agreement adopted within the context of the post-2015 development agenda. Two other major international agreements followed it in the same year: the Sustainable Development Goals 2015–2030 in September and the UNCOP21 Climate Change Agreement to combat human-induced climate change in December. The DRR is a common theme in these three global agreements. The Paris Agreement on global climate change points to the importance of averting, minimising and addressing loss and damage associated with the adverse effects of climate change, including extreme weather events and slow onset events and the role of sustainable development in reducing the risk of loss and damage.

These three agreements recognise the desired outcomes in the DRR as a product of complex and interconnected social and economic processes, which overlap across the agendas of the three agreements.

Intrinsic to sustainable development is the DRR and the building of resilience to disasters. Further, an effective disaster risk management contributes to sustainable development.

In the domain of disaster management, the Sendai Framework provides the way forward for the period ending in 2030. **There are some major departures in the Sendai Framework:**

- For the first time, the goals are defined in terms of **outcome-based targets** instead of focusing on sets of activities and actions.
- It places **governments at the centre of disaster risk reduction** with the framework emphasising the need to strengthen the disaster risk governance.
- There is a significant shift from the earlier emphasis on disaster management to addressing disaster risk management itself by **focusing on the underlying drivers of risk**.
- It places almost an **equal importance on all kinds of disasters** and not only on those arising from natural hazards.
- In addition to social vulnerability, it pays considerable attention to the **environmental aspects** through a strong recognition that the implementation of integrated environmental and natural resource management approaches is needed for disaster reduction.
- **Disaster risk reduction**, more than before, is seen as a policy concern that cuts across many sectors, including health and education.

India is a signatory to the Sendai Framework for a fifteen-year, voluntary, non-binding agreement which recognises that the state has the primary role to reduce disaster risk but that responsibility should be shared with other stakeholders including the local government, the private sector and other stakeholders. It aims for the **'substantial reduction of disaster risk and loss in lives, livelihoods, and health and in the economic, physical, social, cultural, and environmental assets of persons, businesses, communities, and countries'.**

Seven global targets set by the Sendai Framework:

1. Substantially **reduce the global disaster mortality** by 2030, aiming to lower the average per 100,000 global mortality rate in the decade 2020–2030 compared to the period 2005–2015;
2. Substantially **reduce the number of affected people globally** by 2030, aiming to lower the average global figure per 100,000 in the decade 2020–2030 compared to the period 2005–2015;
3. Substantially **reduce direct disaster economic loss** in relation to global Gross Domestic Product (GDP) by 2030;
4. Substantially **reduce disaster damage to critical infrastructure and disruption of basic services**; among them health and educational facilities, including through developing their resilience by 2030;
5. Substantially **increase the number of countries** with national and local disaster risk reduction strategies by 2030;

6. Substantially **enhance international cooperation** to developing countries through adequate and sustainable support to complement their national actions for implementation of the present framework by 2030 and
7. Substantially **increase the availability** of and access to multi-hazard early warning systems and disaster risk information and assessments to people by 2030.

12.8.1 Integrating Sendai Framework into the NDMP

The NDMP incorporates substantively the approach enunciated in the Sendai Framework and will help the country to meet the goals set in the framework. By 2030, the Sendai Framework aims to achieve substantial reduction of disaster risk and loss in lives, livelihoods and health and in the economic, physical, social, cultural and environmental assets of persons, businesses, communities and countries.

The NDMP has been aligned broadly with the goals and priorities set out in the Sendai Framework for DRR. The framework states that to realise this outcome, it is necessary to prevent new and reduce existing disaster risk through the implementation of integrated and inclusive measures that prevent and reduce hazard exposure and vulnerability to disaster, increase preparedness for response and recovery and thus, strengthen resilience. These measures must cover various sectors such as economic, structural, legal, social, health, cultural, educational, environmental, technological, political and institutional.

The plan includes measures that will be implemented over the short, medium and long term more or less over-the-time horizon of the Sendai Framework ending in 2030. The incorporation of four priorities for action under the Sendai Framework into the NDMP is summarised for quick reference (Table 12.5).

Table 12.5 Incorporation of Four Priorities for Action Under Sendai Framework into the NDMP

Sendai Framework for DRR (2015–2030) Priority	
1.	Understanding disaster risk
2.	Strengthening disaster risk governance to manage disaster risk
3.	Investing in disaster risk reduction for resilience
4.	Enhancing disaster preparedness for effective response and to 'Build Back Better' in recovery, rehabilitation and reconstruction

The term **Disaster Management** as used in the NPDM 2009 and the DMA 2005 document is comprehensive covering all aspects – disaster risk reduction, disaster risk management, disaster preparedness, disaster response, and post-disaster recovery. This document uses the term with the same meaning as defined in the DMA 2005:

'A continuous and integrated process of planning, organising, coordinating and implementing measures which are necessary or expedient for the following:

1. Prevention of danger or threat of any disaster,
2. Mitigation or reduction of risk of any disaster or its severity or consequences,
3. Capacity-building,
4. Preparedness to deal with any disaster,
5. Prompt response to any threatening disaster situation or disaster,
6. Assessing the severity or magnitude of effects of any disaster
7. Evacuation, rescue and relief and
8. Rehabilitation and reconstruction'.

12.9 What is Needed?

We cannot prevent natural hazards, which are endemic to our geology, geography, climate, social and cultural settings, but we can certainly strive to manage crisis more efficiently so that hazards do not degenerate into disasters. With a **coherent and meaningful crisis management strategy** in place, it is quite possible to visualise our country, despite its manifold hazards, as a place that will eventually be free of all disasters. In the realm of **crisis management**, announcing a policy, or promulgating a law, or creating an institution is a relatively easy task; the challenge lies in implementing policies to achieve the desired outcomes.

Crisis management, a governance issue that is both vital and complex, is at the core of India's administrative system. The system requires **innovative thinking and fundamental changes** in order to quicken the emergency responses of the administration and increase the effectiveness of the machinery to meet the crisis situation and enhance crisis preparedness. To that end, it is necessary that the **apparatus of crisis management should perform and deliver**. What is needed is ushering in a new paradigm in the quality and efficacy of our institutional capacity and delivery mechanisms while, at the same time, ensuring that they are embedded in both the structures of authority and the mechanisms of accountability.

Our aim should not only be having more efficient systems of governance but also **innovative ways of capacity building and empowerment** of all stakeholders at all levels, including panchayats and the community, strategic applications of science and technology, realisation of a sound emergency communication network, building safe homes and infrastructure, and learning from research and development, as also from the experiences of handling crisis situations in the past. Each of these tasks is a challenge and

calls for a careful strategy of planning and implementation coupled with coordinated efforts of a variety of players, both within and outside the governmental structure.

Our target should be establishing the synergy and convergence of advances in the technological and knowledge era with our rich socio-cultural practices and indigenous coping mechanisms. Systematic preparedness, early warning, quick response and sustainable recovery have been the cornerstones of approach to disaster management.

12.9.1 Institutional Support of Science and Technology Institutions for Disaster Management

Disaster management depends heavily upon the inputs from various Science and Technology institutions. Major improvements in disaster management efforts may be attributed to developments in Science and Technology. As crisis management is multidisciplinary in nature, the relevant research is carried out in several sector-wise research and development organisations.

The Second Administrative Reforms Commission has recommended that the National Disaster Management Authority, assisted by the NIDM, may facilitate a common platform between the Science and Technology organisations and the users of relevant technologies. Such mechanisms may be made operational both at the Union and State levels.

12.9.2 Professionalisation of Disaster Management

Institutional development for disaster management in the country has clearly suffered on account of paucity of professionally qualified personnel. While civil servants and other senior personnel in organisations like the police, armed forces and municipal bodies have provided a leadership role and their leadership will continue to be required, it is time that special attention is paid to the long-felt need to professionalise disaster management in the country.

The best practices in disaster management are the strategies and methods perfected by several developed countries, and India can take advantage from exposure to these practices. It is, therefore, desirable that the possibility of bilateral agreements with foreign governments for exchange of experiences and learning from their documentation and research efforts be fully explored.

12.9.3 Use of Mass Media and Social Media

Mass media plays a very important role in spreading awareness about disasters. Immediately after a major disaster in any part of the world, the curiosity and apprehension among the communities about their own risk is at its maximum. This is an opportune time to carry out public awareness

campaigns and use media to focus on generating awareness about the risk the community is exposed to. This could best be achieved through a healthy partnership between the media and the disaster management machinery.

An important input in such awareness generation programmes could be the lessons that have been learnt from disasters in the past or from those in other areas. For this purpose, the details of all such disasters need to be properly documented and kept in the public domain. The DDMAs, the SDMAs and the NDMA should have these details along with the lessons learnt, on their respective websites.

12.9.4 Building Community Resilience

The community is also a repository of knowledge and skills which have evolved traditionally, and these need to be integrated in the risk reduction process. It is necessary to **educate the community** about the entire disaster risk reduction and even to impart skills and assign specific roles to the members of the community, so that the first response from the community is a well-coordinated one.

12.9.5 Focus on District Disaster Management Plan

The District Administration should discuss the hazards, risks and vulnerability profile of the district. The administration should know the **vulnerability map** of the district; historical profile of various disasters that have happened in the past, their impact on the district and how the district was able to cope up is the preparedness of the district now.

Would the district be able to handle the disaster if it is hit now? What is the present capacity of preparedness of the district administration or the DDMA for search and rescue, relief distribution, logistics, ensuring life-line services, providing security and safety to the people, law and order situation, resource mobilisation, etc.?

The administration needs to know the answers for all these questions. This would provide an idea of the capacity of the district and as well as direction to start planning. The administration or the DDMA then consolidates the risks of the district and take the level forward.

12.10 Key Issues

12.10.1 Uttarakhand Tragedy and Lessons Learnt

Heavy rainfall for over three days, **16–18 June 2013**, along with a few cloudbursts caused the melting of **Chorabari Glacier** at the height of 3,800 metres and eruption of the river Mandakini, which led to heavy floods and massive landslides along with heavy boulders near Kedarnath and few other

areas of Uttarakhand, including Badrinath and Uttarkashi. It was the worst natural disaster in our country since the 2004 tsunami. The devastation in its wake has been huge, but the largest impact has been at the temple town of Kedarnath. It is the downstream region along the Mandakini River.

In the midst of the annual pilgrimage season, tens of thousands of people were present at the time of the incident. As a result, nearly 4,000–6,000 people were feared killed and about a 1,00,000 pilgrims and tourists were trapped in the valley for days because of damaged and blocked roads. The death toll, however, as per official records, is said to be nearly 4,000 only. Entire villages and settlements, such as Gaurikund and the market town of Rambada, a transition point to Kedarnath, have been obliterated, while the market town of Sonprayag suffered heavy damage and loss of lives.

The Army, Air Force, Indo-Tibetan Border Police, Border Security Force, NDRF, Public Works Department and local administration worked together for quick rescue operations. Several thousand soldiers were deployed for the rescue missions. Helicopters were used to rescue people, but due to rough terrain, heavy fog and rainfall, manoeuvring them was a challenge. The armed forces and paramilitary troops evacuated nearly one lakh people from the flood-ravaged area. **Operation Rahat** was the name given to the Air Force's rescue operations. **Operation Surya Hope** was the name given to the Army's rescue operations.

Unprecedented destruction by the rainfall witnessed in Uttarakhand was attributed to unscientific developmental activities undertaken in recent decades, contributing to high level of loss of property and lives. Roads constructed in haphazard style, new resorts and hotels built on fragile river banks and more than 70 hydroelectric projects in the watersheds of the state led to a 'disaster waiting to happen' situation. The tunnels built and blasts undertaken for the 70 hydroelectric projects contributed to the ecological imbalance in the state, with flows of river water restricted and the streamside development activity contributing to a higher number of landslides and more flooding. Existing infrastructure has been totally demolished. It has left the border villages disconnected which certainly adds to our strategic concerns.

According to a **'Performance Audit of Disaster Preparedness in India'**, published by the Comptroller and Auditor General of India (CAG: Report No. 5 of 2013), the following shortcomings of Uttarakhand were not only published but also taken up with the State Government as well, as a follow-up. **The main shortcomings pin-pointed by the CAG were**:

1. In the state, the **frequency and intensity** of various disasters had not been identified.
2. The SDMA, headed by the Chief Minister, although constituted in October 2007, had **not formulated any rules, regulations, policies and guidelines**. The SEC was formed in January 2008 but 'never met since its creation' (this highlights the laxity and indifference). The DDMA was constituted in Nainital in December 2007. Since inception,

the DDMA met only twice (April and May 2011). Thus, the state authorities were virtually non-functional.

3. The State Disaster Management Plan was under preparation and actionable programmes were **not prepared for various disasters**.
4. We noticed **irregularities in the management** of the State Disaster Response Fund. These included non-investment of funds, which resulted in potential loss of interest of ₹9.96 crore during 2007–12. There were delays ranging from 80 days to 184 days in the release of the Centre's share of funds during 2007–11 and no funds were released in 2011–12 as the State Government did not submit utilisation certificates and annual report of natural calamity.
5. **No plan was prepared in the state for an early warning**. The communication system was inadequate. This resulted in delayed information to vulnerable population.
6. The Hazard Safety Cell of the State Government had so far identified 7,374 buildings in three cities out of which 1,109 buildings were found to be vulnerable to moderate earthquake. These buildings needed to be retrofitted, but **no such measures were taken**.
7. The Geological Survey of India in June 2008 identified only 101 villages as vulnerable out of 233 disaster-affected villages. **No measures were taken** by the State Government for their rehabilitation, despite a lapse of four years after their identification.
8. The State Government did not sanction any post for the SDMA which affected the establishment of the Management Information System. In the District Emergency Operation Centre (DEOC) at the district level, there was an **acute shortage of manpower**. In thirteen districts, only sixty-six posts (56 per cent) were filled against sanctioned manpower of 117 (nine posts each in thirteen districts).
9. It was also noticed that **no master trainers** were trained to impart training to the staff at the district, block and village levels engaged in the prevention and mitigation of disaster management. Medical personnel were also not trained in hospital preparedness for emergencies or mass casualty incident management.

The serious lapses that have been reported are a sad reflection of the state of affairs. It also shows that a lot of commitment, dedication and foresight are required in a state like Uttarakhand which is prone to almost all kinds of disasters except the threats from coastal areas and high seas.

Even more striking has been the realisation about how little effort has been taken in the name of creating awareness and preparing all sections of society for an eventuality like the June 2013 Uttarakhand disaster.

Besides preparedness, the response during crisis was also too slow. The Uttarakhand Government could not gauge the scale of tragedy in the initial two days. The State Government did not have adequate evacuation

capabilities. The evacuation work was mainly carried out by the Army, Air Force, ITBP, BSF and NDRF. Search and rescue work also started very late.

Rehabilitation and reconstruction process was also very slow. It was mainly due to two reasons

- roads and electricity lines were badly damaged so connectivity, communication and electricity services were totally disrupted and
- rain did not stop for a few days and so medical aid and food items were not supplied adequately as government machinery was waiting for the rain to stop.

Even after October, rehabilitation work was not as per the desired pace.

12.10.1.1 Role of the BSF in Rehabilitation Work

The BSF had adopted twelve villages for rehabilitation work. The BSF made temporary bridges like foot bridges, rope bridges, *Jhoola Pul* (suspension bridge) on mountaineering patterns for connectivity. It helped in medical-aid supply and ration supply for community kitchen. The BSF jawans conducted rehabilitation work despite rains and heavy odds.

12.10.2 Was the Uttarakhand Tragedy Natural or Man-Made?

Undoubtedly, it was a **natural disaster** which caught the administration and the local people by surprise. But many **man-made mistakes** compounded the problem. The major ones are given below:

1. **No control over the number of tourists and pilgrims reaching Kedarnath.** At the time of the tragedy, it is believed that there were almost 5–10 times more people than the capacity of roads and towns.
2. **Unlimited construction on fragile river beds.** River beds are meant for rivers but due to unregulated developmental activities, haphazard constructions took place near river beds to cater to increasing number of tourists. This went on without any proper planning and norms of construction.
3. **Ecological imbalance.** The entire ecology of the region could have been disturbed due to rampant construction of roads, tunnels, dams and use of blast technology for construction.

Perhaps if we had been careful about the above factors, the scale of the tragedy could have been minimised.

12.10.3 Social and Emotional Problems Associated With Disasters

While dealing with disasters, we need to be particularly responsive to the emotional and social problems that people experience due to a disaster. Almost ten per cent of the people affected by the tsunami – potentially half a million people – had mental health problems so severe that they required professional treatment. **Psychosocial care** deals with a broad range of

emotional and social problems and helps in restoring social cohesion as well as independence and dignity of individuals and groups. It prevents pathologic developments and further social dislocations.

Normalisation of emotional reaction is an important task in psychosocial care for the survivors of disasters. Emotional reactions such as guilt, fear, shock, grief, vigilance, numbness, intrusive memories and despair are responses of people experiencing unforeseen disasters beyond their coping capacity. Emotional reactions are normal responses to an abnormal situation. Nearly 90 per cent of survivors of a disaster experience these emotional reactions immediately after the disaster. Psychosocial care is essential for all these people.

Probable Questions Based on This Chapter

1. What are the main phases of disaster management?
2. How can disaster risk be reduced in advance?
3. Write a short note on the National Disaster Management Act (NDM Act) 2005.
4. What is the role of the National Disaster Management Authority in disaster management?
5. How can district administration play a significant role in disaster management?
6. Comment on the impact of the NDMA, 2005.
7. Examine the suitability and capacity building of the NDRF (National disaster relief force) and STRF.
8. What do you understand by enhancing resilience? Where do you place India on this front?

Current Issues

Chapter 13

13.1 Impact of Coronavirus on National Security

In Chapter 1 of this book, we have briefly talked about the major challenges to internal security. In the last paragraph of Section 1.2, we have talked about some non-traditional, non-military threats to our security. These could include the following:

1. Climatic security
2. Diseases and pandemics
3. Energy and water depletion
4. Food security
5. Resource wars
6. Poverty and economic disparity

Among these threats, pandemics are very crucial. They pose several challenges to the integrity of the state. These can be best handled by different states using different institutions, diplomatic tactics, economic schemes and more importantly using public health strategies. Given the current international status, our national security needs to be redefined. Currently, conventional war is no longer the only primary physical threat to a state.

Historically, pandemics have threatened and impacted both national and international security. **COVID-19** too has proved to be a major national security threat, both externally and internally. Timely efforts need to be made to help manage and reduce it at this stage. These efforts would be detrimental in curtailing the long-term effects on international peace, stability, and security. Rethinking of the political, economic, diplomatic, and strategic fundamentals of a coordinated approach must be done as the pandemic surges. **As the battle against COVID-19 is unprecedented and uncertain, it is highly imminent that the substantial ethos of national security is certain to change.**

The effects of the COVID-19 pandemic are not limited to the loss of lives and the economic slowdown that we are witnessing in India but will also extend to impact national security and pose serious challenges both on the external and internal security fronts.

A pandemic can threaten the national security of a state in different ways:

1. COVID-19, which **started as an epidemic in China in December 2019**, has now turned into a truly **global pandemic** which is comparable with a World War. This outbreak and spread of the pandemic have given rise to numerous conspiracy theories critically threatening the long-term prospects of international peace and security.
2. The COVID-19 pandemic can **increase the rate of illness and mortality**, thereby causing a huge impact on public health and the nation's workforce. This impact would lead to political instability, class strife and eventually an economic recession.
3. Several **indirect threats to national security** are also posed by the pandemic. These include the social, economic, and political stability of a few key regions.
4. Major segments of the Indian population especially the poor could be angry, deprived, unemployed and displaced; some could even be hungry and homeless. The resulting **psychological impact** on individuals and communities could lead to discontent in the days to come. The major challenge for the police will be to deal with **disgruntled citizens** who could congregate and indulge in violence.
5. **India's law and order machinery** could also be over-stretched. The police are already embattled, trying to keep the citizens adhering to legal provisions of the lockdown that deprives citizens of the freedom of movement. The situation is unprecedented, and the police have to bear the brunt. In most places, the police have been involved in contact tracing operations, which have faced resistance and violence from people at times who are unwilling to be confined in the government-managed quarantine centers where conditions are not the best.
6. There exists a formidable danger that **radical elements** (such as left-wing extremist groups, terror organizations and autocratic regimes) could try to take advantage of the unrest and economic slowdown to further their wicked designs.
7. India could experience a **widespread social unrest due to the economic slowdown** that could also have an adverse impact on the communal harmony and class wars may result, thus posing a major threat to the internal security of the country.
8. In this digital era, cyberterrorism has emerged as a major security threat. The spread of coronavirus worldwide has witnessed an alarming rise in **cyber crimes** in the recent months. Due to prolonged lockdown,

people are getting to spend more than the usual amount of time online. This situation is proving to be a boon for cybercriminals. Increasing number of hospitals, research hubs and medical centers are being targeted for information, intelligence and system accessibility. There is a high possibility that cybercriminals could be on the lookout for information about cures, tests or vaccines related to the coronavirus, which they could sell in the black market, encrypt sensitive data, and hold it for ransom, or simply derange the operability of the institution.

9. India's biggest security challenge in the post-pandemic decade could be in the internal security space under the basket of **'non-traditional threats'** such as migration, water, identity crises, conflict arising from unemployment and several other new areas that would emerge.
10. Defense forces, the Central Armed Police Forces and the police of various states could themselves be infected at large scale by the pandemic, thus compromising external or internal security or both. The internal security agencies, including the Central Armed Police Forces and State Police Forces, at the forefront of the war have already suffered **innumerable casualties**.

13.2 Internet Restriction in India

Frequent use of the Internet restriction, especially after abrogation of **Article 370** and **Article 35** in Jammu and Kashmir and recently during the farmer agitation and protest against the **Citizenship Amendment Act (CAA)** has brought the issue of Internet shutdown to prominence.

13.2.1 About Internet Shutdowns

- Internet shutdowns are an **absolute restriction** placed on the use of the Internet services due to an order issued by a government body.
- It may be **limited to a specific place** and **to a specific time period**. Sometimes, it can even **extend indefinitely**.
- An Internet shutdown **may be limited to mobile Internet** or **wired broadband** or **both at the same time**.
- In **2017**, there were **79 instances** of Internet shutdown across the country. Similarly, in **2018** authorities suspended mobile phone connectivity **126 times** and **100 times in 2019**.
- **Global Status**
  - The total number of Internet shutdowns increased from **75 in 2016** to **106 in 2017**, and to **196 in 2018**.
  - **In 2018, of the 196 shutdowns in 25 countries**, as many as **134 were in India, followed by Pakistan** with 12 shutdowns.
  - **Asia and Africa** saw the **most shutdowns in 2018**.

- Authoritarian regimes such as **China** and **Iran routinely cut** their people off from the World Wide Web.

- **Reasons for Shutdowns**
  - To ensure peace during a festival procession
  - To prevent cheating in exams
  - To block the flow of information about the government actions or to end the communication among activists
  - To curb uploading, downloading and circulation of provocative videos, guard against rumor-mongering/fake news, prevent the use of encrypted messaging and coordinating terror activities
  - To defeat the nefarious designs from across the border to propagate terrorism
  - To prevent the misuse of data services by elements that have the potential to scale up violent activities and disturb public order
- **Procedure Followed to shut down the Internet:**
  - Under the **Indian Telegraph Act of 1885**, only the **Home Secretary** of the central or the state government can **pass orders** to enforce an Internet shutdown in any area. The Act lays down many checks and balances.
- **Section 5(2) of the Act** allows the central and state governments to prevent the transmission of messaging during a 'public emergency or in the interest of public safety' or 'in the interests of the sovereignty and integrity of India, the security of the state'.
  - The order must include the detailed reasons for the shutdown and must be sent to a review committee the following day.
  - The committee will submit its report within five days. The communications blockade will continue only if the shutdown is justified by the committee.
- **Impact:** Nowadays, most of the activities of our life have become dependent on the Internet, for example, health, education, jobs, tourism, banking, transportation, etc. Therefore, an Internet shutdown will have economic, social, and technical impact as well as an impact on the governance.

13.2.2 Related Court Judgements

- In ***Anuradha Bhasin versus the Union of India, 2020***, the Supreme Court ruled that an **undefined restriction** of the Internet services would be **illegal** and that orders for the Internet shutdown must satisfy the tests of necessity and proportionality.

13.2.3 Way Forward

- The Internet is a kind of a basic human right, even if it is not legally defined as such for most parts of the world. **Without an access to the virtual world**, a very large number of **vital human activities simply stop**. Hence, it is **crucial for the governments to understand** this and look for alternative or less damaging options.
- But at times, the public also needs to understand that it becomes imperative for the government to take such hard steps in the larger interest of national sovereignty, integrity, security of the state or for maintaining peace and public order.

13.3 New Social Media Code

The government has released guidelines that aim to prevent the misuse of social media, digital news media and over-the-top (OTT) platforms after working on these guidelines for over three years, but the big push came from the recent Twitter controversy related to the farmers' protest.

13.3.1 Key Features of Guidelines

1. **Ensuring Online Safety and Dignity of Users, Especially Women Users:**
   - Intermediaries will remove or disable access within twenty-four hours of receipt of complaints of contents related to nudity including morphed images, etc.
2. **Grievance Redressal Mechanism**
   - Social media intermediaries must appoint a grievance officer who will register complaints in twenty-four hours and resolve them within fifteen days of receipt
   - The grievance redressal official **must be a resident in India**.
3. **Two Categories of Social Media Intermediaries:**
   - To encourage innovations and enable the growth of new social media intermediaries, the rules make a distinction between social media intermediaries and significant social media intermediaries.
4. **Additional Due Diligence to be Followed by a Significant Social Media Intermediary**
   - Significant social media intermediaries will now be required to appoint a **chief compliance officer who should be a** resident of India for ensuring compliance with the rules.
   - They will also be required to appoint a **nodal contact person** for 24 × 7 coordination with the law enforcement agencies.

- Further, the platforms will need to publish a **monthly compliance report** mentioning the details of complaints received and action taken on the complaints, as well as details of contents removed proactively by the significant social media intermediary.
- Significant social media intermediary will have a **physical contact address** in India published on its website or mobile app or both.
- In case due diligence is not followed by the intermediary, safe harbor provisions **(Section 79 of IT Act, 2000)** will not apply to them.

5. **Traceability**
   - Significant social media platforms will be required to disclose the first originator of the mischievous content as may be required by a court order or an order passed under **Section 69 of the IT Act** by the competent authority.
   - The order would only be passed for the purposes of prevention, detection, investigation, prosecution or punishment of an offence related to the sovereignty and integrity of India, the security of the state, friendly relations with the foreign states, or public order or of incitement to an offence in relation with rape, sexually explicit material or child sexual abuse material punishable with imprisonment for a term of not less than five years.
6. **Removal of Unlawful Information**
   - The rules lay down ten categories of content that the social media platform should not host. These include content that:
     - threatens the unity, integrity, defense, security or sovereignty of India, friendly relations with foreign states or public order;
     - causes incitement to the commission of any cognizable offence or prevents investigation of any offence or is insulting to any foreign state;
     - is defamatory, obscene, pornographic, pedophilic, invasive of another's privacy, including bodily privacy;
     - is insulting or harassing on the basis of gender;
     - is libelous, racially or ethnically objectionable;
     - is relating or encouraging money laundering or gambling; or
     - otherwise, inconsistent with or contrary to the laws of India.
   - The rules stipulate that upon the receipt of information about the platform hosting prohibited content from a court or the appropriate government agency, it should remove the said content within thirty-six hours.
7. **Voluntary User Verification Mechanism**
   - The users who wish to verify their accounts voluntarily will be provided an appropriate mechanism to verify their accounts as well as a demonstrable and visible mark of verification.

8. **Giving Users an Opportunity to Be Heard**
   - In cases where significant social media intermediaries remove or disable access to any information on their own accord, a prior intimation for the same will be communicated to the user.
   - The users must be provided an adequate and reasonable opportunity to dispute the action taken by the intermediary.
9. **Rules for OTT services**
   - **Brought under the Ambit of the IT Act, 2000:** Issues relating to digital media and OTT and other creative programs on the Internet will be administered by the Ministry of Information and Broadcasting but the overall architecture will be under the Information Technology Act, which governs digital platforms.
   - **Code of Ethics for Online News, OTT Platforms and Digital Media:** This Code of Ethics prescribes the guidelines to be followed by the OTT platforms and online news and digital media entities.
   - **Self-Classification of Content:** The OTT platforms, termed the publishers of online curated content in the rules, would self-classify the content into five age-based categories – U (Universal), U/A 7+, U/A 13+, U/A 16+ and A (Adult).
   - Platforms would be required to implement **parental locks** for the content classified as U/A 13+ or higher and **reliable age verification mechanisms** for content classified as 'A'.
   - **Level Playing Field between Digital and Offline Media:** Publishers of news on digital media would be required to observe Norms of Journalistic Conduct of the Press Council of India and the Programme Code under the Cable Television Networks Regulation Act, thereby, providing a level playing field between the offline (Print, TV) and digital media.
   - **A Three-Level Grievance Redressal Mechanism** has been established under the rules with different levels of self-regulation.

13.3.2 How Effective Are These Social Media Guidelines?

The social media guidelines are detailed and very much required but it appears to lack the backup of the law. On one hand, there is a viewpoint that these guidelines will undermine the free expression and privacy for the Internet users in India. While on the other hand, there is a feeling that these guidelines may not be very effective as they lack penal provisions and have no teeth. Even the honorable Supreme Court has asked the government to consider framing more stringent laws.

13.4 National Investigation Agency (NIA) Act: The 2019 Amendment

Offences Outside India: The original Act allowed the NIA to investigate and prosecute offences within India. The amended Act empowered the agency to investigate offences committed outside India, subject to international treaties and domestic laws of other countries. The amended section reads: **'Where the Central Government is of the opinion that a Scheduled Offence has been committed at any place outside India to which this Act extends, it may direct the Agency to register the case and take up investigation as if such offence has been committed in India'.** The NIA special court in New Delhi will have jurisdiction over these cases.

Widened Scope of Law: The NIA can investigate and prosecute offences under the Acts specified in the Schedule of the NIA Act. The Schedule originally had The Atomic Energy Act, 1962, The Unlawful Activities (Prevention) Act, 1967, and The Anti-Hijacking Act, 1982, among other entries. The amendment has further allowed the NIA to investigate cases related to **(i) human trafficking, (ii) counterfeit currency or banknotes, (iii) manufacture or sale of prohibited arms, (iv) cyberterrorism and (v) offences under the Explosive Substances Act, 1908.**

Special Courts: The **2008 NIA Act** constituted Special Courts for conducting the trial of offences under the Act. The **2019 amendment** allowed the central government to designate Sessions Courts as Special Courts for the trial of scheduled offences under the Act. The central government is required to consult the Chief Justice of the High Court under which the Sessions Court is functioning, before designating it as a Special Court. When more than one Special Court has been designated for any area, the senior most judge will distribute cases among the courts. The state governments, too, may also designate the Sessions Courts as Special Courts for the trial of scheduled offences.

13.5 Drone – A New Emerging Threat

Unmanned Aerial Vehicles (UAVs) are emerging as one of the major challenges for security forces of the country.

Terrorist groups are increasingly using twenty-first-century technologies, including drones and **Artificial Intelligence (AI)**, in attacks. As it continues to be weaponized, AI could prove a formidable threat, allowing adversaries – including non-state actors – to automate killings on a massive scale. The combination of drone expertise and more sophisticated AI could allow the terrorist groups to acquire or develop lethal autonomous weapons, or **'killer robots'**, which would dramatically increase their capacity to create incidents of mass destruction in western cities.

Since February 2021, there has been a gradual increase in incidents involving the smuggling of narcotics and arms and ammunition through UAVs. The use of drones is also being seen as part of the renewed efforts of the militant outfits – operating from across the LoC in Jammu and Kashmir.

The use of drones to smuggle weapons and narcotics and targeted killings – in which many civilians and security personnel were killed so far this year – seems to be the latest modus operandi of the current insurgency.

Drones are used at the borders especially for smuggling of narcotics and weapons. It has been on a rise at the Punjab and Jammu border. Also, the drones do not show up in the tracking system and this makes them a very dangerous weapon for terrorists and the Pakistan-based ISI to disturb India's peace. Drones carrying IEDs, money, AK-47, etc. are common in Punjab, and many modules have been busted, but it still presents a major challenge to the security forces.

Security forces are trying to find anti Rogue Drone technologies to meet this latest challenge to national security.

13.6 Impact of Change of Regime in Afghanistan

India's Stand

- India has largely remained silent on the crisis in Afghanistan, communicating only evacuation efforts for its embassy personnel in Kabul.
- With the Ghani government out of power, India has lost a key partner in Afghanistan.

Taliban's Return - What Does it Mean for India?

- With Taliban back in power, anti-India jihadi forces are bound to get a boost
- Threat of growing radicalisation for pan-Islamic terror groups in our neighbourhood
- Terrorists operating from PoK will get a safe place as a hideout
- It will mean a bigger hand for the Pakistani military and intelligence agencies to influence outcomes for the country.
- There can be new regional geopolitical alignments (such as China-Pakistan-Taliban) which may go against the interests of India.
- With no other major source of income, Taliban is likely to go back to drugs production and trafficking
- Previous regime was by and large pro India - many of our projects may run into jeopardy

13.7 India's Stand on Ukraine War

- India has adopted a studied public neutrality towards Russia.
- It has abstained from successive votes in the UN Security Council, General Assembly, and Human Rights Council that condemned Russian aggression in Ukraine and thus, has refused to openly call out Russia as the instigator of the crisis.
- India also abstained from the International Atomic Energy Agency (IAEA) resolution that was related to safety at four nuclear power stations and several nuclear waste sites including Chernobyl, as the Russians seized control of them.
- India's public neutrality towards the Russian invasion is driven fundamentally by its concerns vis-à-vis China and Pakistan.
- New Delhi sees both states as immediate and enduring threats, and it believes that preserving its friendship with Moscow will help to prevent deepening Russian ties with China and to limit Russian temptations to build new strategic ties with Pakistan.

What does Russia want from India?

- Geopolitically, Russia wanted to show that it is not friendless despite American and European pressure to diplomatically isolate Moscow.
- Russia is desperate to sell India more oil since its European customers are sending signals of non-cooperation. It is also very keen to continue the defense cooperation.
- Trading with India also helps Russia undermine the dollar-based financial system and bypass the sharp edge of the western sanctions. It prevents Russia's diplomatic and economic isolation and helps Moscow achieve its goal of securing a multipolar world order where American hegemony can be challenged.

What does India want?

- India's core interest lies in balancing China and nurturing strategic partnerships with both the West and Russia. The relationship with Russia is vital for India for a variety of reasons.

Apart from the reliance on Russian arms and legacy systems which forms the bulk of India's military hardware across all three domains, India can ill afford to alienate Russia and turn a hostile continental region even more friendless.